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# FEDERAL REGISTER

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## *Regulations*

### TITLE 6—AGRICULTURAL CREDIT

#### Chapter I—Farm Credit Administration

#### PART 11—NATIONAL FARM LOAN ASSOCIATIONS

CLASSIFICATION OF ASSOCIATIONS; RETIREMENT OF STOCK UPON REPAYMENT OF LOANS

Part 11 of Title 6, Code of Federal Regulations is hereby amended as follows:

Present §§ 11.392 to 11.395, inclusive, are revoked and new §§ 11.65, 11.392, and 11.393 are added to read as follows:

§ 11.65 *Classification of associations.* The banks shall review periodically the financial condition of each association, and each completed compartment formed under the provisions of section 25 (b) of the Farm Credit Act of 1937 (12 U.S.C. 724), to determine whether its capital stock is impaired or unimpaired. For this purpose, the stock of an association shall be considered impaired if the total of its liabilities (including estimated losses on contingent liabilities) and capital stock is in excess of its total assets and such excess may not reasonably be regarded, under all the circumstances, as negligible in amount or percentage, as apparent rather than real, or as temporary only.

§ 11.392 *Disposition of stock proceeds where association stock is unimpaired.* When a mortgage loan through an association with unimpaired stock is paid in full, the bank shall retire its stock outstanding in connection with such loan and shall pay its par value in cash to the association. Upon the retirement of the bank stock, the association shall retire its stock outstanding in connection with such loan and shall pay the full proceeds thereof, less the amount of any claim of the association which may properly be offset against such stock proceeds, to the owner of, or the holder of a valid assignment of the beneficial interest in, such stock. The bank may, however, pursuant to a general resolution adopted by its board of directors and approved by the Farm Credit Administration, retire its stock and, with the consent of the association, credit an amount equal to the par value thereof as a last payment on the retiring borrower's loan. Before crediting stock of an unimpaired association to the retiring borrower's loan, the bank shall have satisfactory evidence that the person paying off the loan either owns, or holds a valid assignment of the beneficial interest in, stock issued by the association in connection with such loan and the association does not have a valid claim which properly may be offset against the proceeds of such stock upon its retirement.

§ 11.393 *Disposition of stock proceeds where association stock is impaired.* When a mortgage loan through an association with impaired stock is paid in full, the bank shall retire its stock outstanding in connection with such loan, and, if the association is indebted to the bank, it may retain the full amount of the proceeds of such stock and apply it as a credit on such indebtedness or it may pay to the association from the proceeds of such retired stock an amount sufficient to permit the association to make settlements pursuant to conservatorship proceedings, under section 29 of the Federal Farm Loan Act as amended, in which case any balance of such proceeds shall be retained by the bank and applied as a credit on the indebtedness of the association to it. Upon the retirement of the bank stock the association shall retire its stock outstanding in connection with such loan, and, unless it has been through conservatorship as provided in said section 29, it shall not make any payments to its retired shareholders of record or their heirs or assigns until it has paid, or made adequate provision for paying, its indebtedness to its creditors and has sufficient funds available to make a distribution among its retired shareholders or their heirs or assigns on a pro rata basis. Except where settlement is made pursuant to conservatorship proceedings, an association with impaired stock shall issue to each retiring shareholder, or his heirs or assigns, a certificate which recites, in effect, that the holder of the certificate is entitled to share in the distribution of any assets of the association which is

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FEDERAL REGISTER

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**NOTICE**

**The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:**

**Book 1: Titles 1–3 (Presidential documents) with tables and index.**
**Book 2: Titles 4–9, with index.**
**Book 3: Titles 10–17, with index.**
**Book 4: Titles 18–25, with index.**
**Book 5, Part 1: Title 26, Parts 2–178.**
**Book 5, Part 2: Title 26, completed; Title 27; with index.**
**Book 6: Titles 28–32, with index.**

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made after all its indebtedness to creditors has been paid or provided for; such sharing to be on the basis of the shares of stock described in the certificate, but not to exceed the par value of such shares, and pro rata with other persons having similar rights.

(Sec. 6, 47 Stat. 14, Secs. 7, 8, 39 Stat. 365, 367; 12 U.S.C. 665, 721, 733)

[SEAL] W. E. RHEA,
*Land Bank Commissioner.*

[F. R. Doc. 44–14635; Filed, Sept. 22, 1944; 11:12 a. m.]

## TITLE 10—ARMY: WAR DEPARTMENT

### Chapter V—Military Reservations and National Cemeteries

### PART 507—SERVICE CLUBS, HOSTESSES AND LIBRARIANS

#### GUEST HOUSE SERVICE AND OPERATION

Section 507.8 is rescinded and the following substituted therefor:

§ 507.8 *Guest house service and operation.* (a) Guest houses are authorized at post, camps, and stations, including general hospitals.

(b) The guest house at a post other than a general hospital is designed to furnish overnight transient accommodations for immediate families, relatives, and friends of enlisted personnel. First priority to such accommodations will be allowed to the families, relatives, and friends visiting military personnel sick in the hospital.

(c) The guest house at a general hospital is designed to furnish overnight transient accommodations to:

(1) The immediate families, relatives, and friends of military personnel sick in the hospital. Families, relatives, and friends of officers may stay at the guest house. Where demand for accommodations exceeds available rooms, preference will be given to the families, relatives, and friends of enlisted personnel.

(2) Military personnel or their dependents awaiting admission to the hospital or during periods of out-patient treatment.

(d) No guest may remain at a guest house for more than 3 consecutive nights, except that guests visiting military personnel sick in a hospital and guests covered by (c) (2) of this section may remain for a longer period with the approval of the post commander.

(e) Maximum and minimum charges for the use of beds in guest houses will be determined by the Chief of the Army Exchange Service.

(f) An identification register will be maintained in the guest house. (R.S. 161; 5 U.S.C. 22) [AR 210-70 22 June 1944 as amended by C1, 24 August 1944]

[SEAL] ROBERT H. DUNLOP,
*Brigadier General,*
*Acting The Adjutant General.*

[F. R. Doc. 44-14608; Filed, Sept. 21, 1944; 2:29 p. m.]

## TITLE 14—CIVIL AVIATION

### Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 20-3]

### PART 20—PILOT CERTIFICATES

#### AERONAUTICAL SKILL

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 19th day of September 1944.

Effective September 19, 1944, § 20.127 of the Civil Air Regulations is amended by adding paragraph (g) to read as follows:

§ 20.127 *Aeronautical skill.* Applicant shall satisfactorily demonstrate his ability to pilot aircraft in solo flight and, in addition to normal take-offs, turns, and landings, to perform satisfactorily the following maneuvers: * * *

(g) When the applicant's medical certificate shows a structural defect or limitation such additional maneuvers and tests as may be found necessary by the Administrator to demonstrate the competency of the applicant to pilot aircraft safely. A pilot certificate issued under these circumstances may be limited to the operation of a particular aircraft and as to type of operation and period of reexamination.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
*Secretary.*

[F. R. Doc. 44-14659; Filed, Sept. 22, 1944; 11:37 a. m.]

[Civil Air Regs., Amdt. 29-2]

### PART 29—PHYSICAL STANDARDS FOR AIRMEN

#### GENERAL PHYSICAL CONDITION

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 19th day of September 1944.

Effective September 19, 1944, § 29.12 (c) of the Civil Air Regulations is amended to read as follows:

§ 29.12 *Third class.* * * *

(c) *General physical condition.* No applicant shall have an organic or functional disease which would interfere with the safe piloting of aircraft, or other duties of his airman certificate. Any structural defect or limitation shall be noted on the medical certificate.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
*Secretary.*

[F. R. Doc. 44-14660; Filed, Sept. 22, 1944; 11:37 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket No. 5041]

### PART 3—DIGEST OF CEASE AND DESIST ORDERS

#### BENJAMIN CHAITT, ET AL.

§ 3.27 (k) *Combining or conspiring—To sell products deceptively:* § 3.295 (b) *Concealing or obliterating law required marking—Wool products tags or identification.* In connection with the purchase, offering for sale, sale, or distribution of women's coats, suits, dresses, and wearing apparel, or any other "wool product" as such products are defined in and subject to the Wool Products Labeling Act of 1939, and on the part of the four respondent individuals, jointly or severally, and on the part of their respective agents, etc., causing or participating in the removal or mutilation of any stamp, tag, label, or other means of identification affixed to any such "wool product" pursuant to the provisions of said act, with intent to violate the provisions thereof, and which stamp, etc., purports to show in whole or in part, (a) the percentage of the total fiber weight of such wool product, exclusive of ornamentation, not exceeding 5 per centum of said total fiber weight of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is 5 per centum or more, and (5) the aggregate of all other fibers; (b) the maximum percentage of the total weight of such wool product of any non-fibrous loading, filling, or adulterating matter; and (c) the name of the manufacturer of such wool product; or the manufacturer's registered identification number and the name of a seller of such wool product; or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof in commerce, as defined in the Federal Trade Commission Act and said Wool Products Labeling Act of 1939; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b; 54 Stat. 1128; 15 U.S.C., sec. 68) [Cease and desist order, Benjamin Chaitt, et al., Docket 5041, August 22, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of August A. D. 1944.

*In the Matter of Benjamin Chaitt, Isaac Chaitt, Max Chaitt, and Mrs. Elizabeth Carl, Individuals*

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the substitute answer of respondents, in which answer respondents admit all the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act and the provisions of the Wool Products Labeling Act of 1939:

*It is ordered,* That respondents, Benjamin Chaitt, Isaac Chaitt, Max Chaitt, and Mrs. Elizabeth Carl, individuals, jointly or severally, their respective agents, representatives, and employees, directly or indirectly, in connection with the purchase, offering for sale, sale, or distribution of women's coats, suits, dresses, and wearing apparel, or any other "wool product" as such products are defined in and subject to the Wool Products Labeling Act of 1939, do forthwith cease and desist from causing or participating in the removal or mutilation of any stamp, tag, label, or other means of identification affixed to any such "wool product" pursuant to the provisions of the Wool Products Labeling Act of 1939, with intent to violate the provisions of said act, and which stamp, tag, label, or other means of identification purports to show all or any part of the following:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation, not exceeding 5 per centum of said total fiber weight of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is 5 per centum or more, and (5) the aggregate of all other fibers.

(b) The maximum percentage of the total weight of such wool product of any non-fibrous loading, filling, or adulterating matter.

(c) The name of the manufacturer of such wool product; or the manufacturer's registered identification number and the name of a seller of such wool prod-

uct; or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939.

*It is further ordered,* That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
*Secretary.*

[F. R. Doc. 44-14634; Filed, Sept. 22, 1944; 11:12 a. m.]

## TITLE 29—LABOR

### Chapter IX—War Food Administration (Agricultural Labor)

[Specific Wage Ceiling Reg. 29]

PART 1112—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF ARIZONA

WORKERS ENGAGED IN PICKING COTTON IN CERTAIN ARIZONA COUNTIES

§ 1112.1 *Wages of workers engaged in picking, pulling, bolling, snapping, and scrapping cotton in the Counties of Pima, Greenlee, Santa Cruz, Pinal, Graham and Maricopa, State of Arizona.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), as amended on July 8, 1944 (9 F.R. 7645), entitled "Specific Wage Ceiling Regulations", and based upon a certification of the Arizona WFA Wage Board that a majority of the producers of American Egyptian (SXP) and American Upland cotton in the area affected have requested the intervention of the War Food Administrator and based upon relevant facts submitted by the Arizona WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking, pulling, bolling, snapping and scrapping American Egyptian (SXP) and American Upland cotton in the Counties of Pima, Greenlee, Santa Cruz, Pinal, Graham and Maricopa, State of Arizona, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035).

(b) *Wage rates; maximum wage rates for picking, pulling, bolling, snapping and scrapping American Egyptian (SXP) and American Upland cotton.*

(1) Wage rate for picking American Egyptian (SXP) cotton—$4 per 100 lbs. of well picked, clean, seed cotton.

(2) Wage rate for picking American Upland cotton:

(i) $2.25 per 100 lbs. of well picked, clean, seed cotton in Pima, Santa Cruz, Pinal and Maricopa Counties;

(ii) $2 per 100 lbs. of well picked, clean, seed cotton in Greenlee and Graham Counties.

(3) Wage rate for pulling, bolling, snapping and scrapping American Egyptian (SXP) and American Upland cotton—$1.35 per 100 lbs. of seed cotton.

(c) *Administration.* The Arizona WFA Wage Board located at Capital Annex, Phoenix, Arizona, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as amended July 8, 1944 (9 F.R. 7645).

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 29 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as amended July 8, 1944 (9 F.R. 7645), and the provisions of such regulations shall be applicable to this specific wage ceiling regulation No. 29 and any violation of this specific wage ceiling regulation No. 29 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; Pub. Law 383, 78th Congress; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 7378, 9641, 9 F.R. 831, 7645)

Issued this 21st day of September 1944.

PHILIP BRUTON,
*Director of Labor,*
*War Food Administration.*

[F. R. Doc. 44-14637; Filed, Sept. 22, 1944; 11:12 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-621]

GROSS PLUMBING & RUBBER CO.

Louis Gross, Samuel Gross, Philip Gross, Harold Gross, and Edward Barr are partners engaged in the business of being wholesale hardware supply dealers under the name of Gross Plumbing & Rubber Company at 808 North Third Street, Philadelphia, Pennsylvania. Between June 15 and December 15, 1943, they consumed rubber or synthetic rubber in the manufacture of 6,000 gross sink stoppers and consumed 1370 pounds of rubber or synthetic rubber in the manufacture of rubber mats, in violation of Rubber Order R-1. Between December 11, 1942, and November 2, 1943, they overextended and made unauthorized extension of preference ratings on orders calling for the delivery of numerous articles, in violation of Priorities Regulation 3. Between September 27 and December 4, 1943, they delivered 160 stoves and 65 water heaters on unrated orders in violation of General Limitation Order L-79. On October 12, 1943, they ordered 500 rolls of friction tape and 102 dozen pairs of rubber gloves and applied to the order the MRO preference rating AA-5 and the certificate of CMP Regulation 5; in fact, these articles were for resale and were not for their own maintenance, repair, or operating supplies, and the application of the rating was in violation of CMP Regulation 5, and the execution of the certificates constituted false representation to the War Production Board. From October 1, 1942, to April 1, 1944, they failed to keep proper records as required by Priorities Regulation 1.

Lewis Gross, Samuel Gross, Philip Gross, Harold Gross, and Edward Barr were aware of Rubber Order R-1, Priorities Regulation 3, General Limitation Order L-79, and CMP Regulation 5, and these violations were deliberate. These violations have diverted critical materials to uses not authorized by the War Production Board and have interfered with the controls established by the War Production Board over the distribution of scarce materials, and they have hampered and impeded the war effort of the United States of America. In view of the foregoing, it is hereby ordered that:

§ 1010.621 *Suspension Order No. S-621.* (a) Deliveries of material to Louis Gross, Samuel Gross, Philip Gross, Harold Gross, and Edward Barr, whether doing business as Gross Plumbing & Rubber Company or otherwise, their and its successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, shall be made to Louis Gross, Samuel Gross, Philip Gross, Harold Gross, and Edward Barr, whether doing business as Gross Plumbing & Rubber Company or otherwise, their and its successors or assigns, of any material or product the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Louis Gross, Samuel Gross, Philip Gross, Harold Gross, and Edward Barr, whether doing business as Gross Plumbing & Rubber Company or otherwise, their and its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same

may be inconsistent with the provisions hereof.

(d) This order shall take effect on September 21, 1944, and shall continue in effect until December 31, 1944.

Issued this 14th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 44-14623; Filed, Sept. 21, 1944; 4:41 p. m.]

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## PART 1010—SUSPENSION ORDERS

[Suspension Order S-626]

### CLINTON LOCK CO.

Clinton Lock Company, 78 Third Avenue North, Clinton, Iowa, is an Iowa corporation engaged in the manufacture of door locks and builders' hardware. Its products are distributed through jobbers. During the fourth quarter of 1943 and the first quarter of 1944, the corporation applied the allotment symbols W-1 and W-2 to twenty-five purchase orders for controlled materials consisting of 154,457 pounds of carbon steel and 5,489 pounds of brass. During this period, the corporation did not have any allotment of controlled materials, nor was it authorized to apply these allotment symbols to such purchase orders. The unauthorized application of these allotment symbols and the obtaining of deliveries of the foregoing amounts of controlled materials were in violation of CMP Regulation 1. In addition, the corporation failed to keep and preserve accurate and complete records of inventories of matelials and of details of transactions in those materials, in violation of Priorities Regulation 1. These actions constituted grossly negligent violations of the provisions of CMP Regulation 1 and Priorities Regulation 1. These violations have diverted critical materials to uses not authorized by the War Production Board, and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.623 *Suspension order No. S-623.* (a) During the fourth quarter of 1944, the Clinton Lock Company's allotments of carbon steel and copper base alloy shall be and are hereby reduced to 66⅔% of the amount of such carbon steel and copper base alloy allotted to it for such quarter.

(b) Clinton Lock Company shall cancel immediately all allotments of controlled materials which it has made to persons supplying it with Class A Products under the Controlled Materials Plan, except to the extent permitted by this order.

(c) Clinton Lock Company shall cancel immediately all unfilled orders which it has placed for controlled materials bearing a CMP allotment symbol (including the MRO symbol and the Symbol "SO" under the small order procedure of CMP Regulation 1), except to the extent permitted by this order.

(d) The restrictions and prohibitions contained herein shall apply to the Clinton Lock Company, its successors and assigns or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(e) Nothing contained in this order shall be deemed to relieve Clinton Lock Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(f) This order shall take effect on October 1, 1944 and shall expire on December 31, 1944.

Issued this 14th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 44-14624; Filed, Sept. 21, 1944; 4:41 p. m.]

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## PART 921—ALUMINUM AND MAGNESIUM

[Supplementary Order M-1-d as Amended Sept. 22, 1944]

### ALUMINUM SCRAP

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of aluminum scrap, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 921.6 *Supplementary Order M-1-d*—(a) *Definition.* For the purposes of this order "aluminum scrap" means all materials or objects which are the waste or by-product of industrial fabrication, or which have been discarded on account of obsolescence, failure or other reason, the principal ingredient of which by either weight or volume is metallic aluminum; and shall include all types and grades of aluminum residues, such as drosses, skimmings, fines, grindings, sawings and buffings: *Provided,* That the recoverable metallic aluminum content, as determined by the fire assay or other method of comparable efficiency, constitutes 50% or more by weight of such residues.

(b) *Special directions.* The War Production Board may issue special directions with respect to the use, receipt, delivery and segregation of aluminum scrap.

(c) *Records.* Each person who participates in any transaction involving aluminum scrap shall keep and preserve for at least two years complete and accurate records as to all such transactions. These records shall be subject to inspection by the War Production Board.

(d) *Reports.* (1) Any person generating 10,000 pounds or more of scrap in a plant in any month shall file a report for that plant covering the month on Form WPB-317 with the Aluminum and Magnesium Division. The report shall be filed by the fifteenth day of the month following the month covered by the report. This provision does not apply to scrap generated in the course of producing aluminum in controlled material form.

(2) Any person who melts aluminum scrap into ingot and who delivers some or all of the ingot to other persons, shall file reports on Form WPB-554 monthly with the Aluminum and Magnesium Division by the fifteenth day of the month following the month covered by the report. This is the form filed by aluminum smelters and producers of ingot.

(3) Any person who uses 2000 pounds or more of aluminum scrap in any month for the production of any aluminum product in controlled material form[1] and who is not required to file Form WPB-554 under paragraph (d) (2), shall file with the Aluminum and Magnesium Division a report on Form WPB-2685 covering that month. This report shall be filed by the tenth day of the month following the month covered by the report. This is the form filed by aluminum foundries, powder mills, and wrought product mills.

(4) All persons regularly engaged in the business of buying and selling aluminum scrap (dealers) shall file Form WPB-202 with the Bureau of Mines, College Park, Maryland, by the tenth day of each month or such other reports as the War Production Board may require.

(e) *Addressing of communications.* All reports and other communications filed pursuant to this order or concerning the subject matter hereof, with the exception of the report on Form WPB-202, should be addressed to: War Production Board, Aluminum and Magnesium Division, Washington 25, D. C., Reference M-1-d.

(f) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 44-14652; Filed, Sept. 22, 1944; 11:16 a. m.]

[1] Aluminum in controlled material form is described in Schedule 1 of CMP Regulation 1.

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## PART 921—ALUMINUM AND MAGNESIUM

[Supplementary Order M-1-d, Revocation of Direction 1]

### ALUMINUM SCRAP

Direction 1 to Supplementary Order M-1-d is hereby revoked. This action shall not be construed to affect in any

way any liability or penalty incurred under said direction.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 44-14651; Filed Sept. 22, 1944; 11:16 a. m.]

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PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-217, Revocation]

CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

Section 1157.20 *Limitation Order L-217*, is revoked. This revocation does not affect any liabilities incurred under the order. The manufacture and delivery of construction machinery and equipment remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 44-14638; Filed, Sept. 22, 1944; 11:18 a. m.]

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PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-217, Revocation of Schedule II]

PORTABLE JAW AND ROLL CRUSHERS

Section 1157.22 *Schedule II to Limitation Order L-217*, is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of portable jaw and roll crushers remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 44-14639; Filed, Sept. 22, 1944; 11:18 a. m.]

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PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-217, Revocation of Schedule V]

PORTABLE CONSTRUCTION CONCRETE MIXERS

Section 1157.25 *Schedule V to Limitation Order L-217* is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of portable construction concrete mixers remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

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PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-217, Revocation of Schedule VI]

TRUCK MIXER-AGITATORS

Section 1157.26 *Schedule VI to Limitation Order L-217* is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of truck mixer-agitators remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

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PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-217, Revocation of Schedule VII]

PUMPS

Section 1157.28 *Schedule VII to Limitation Order L-217* is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of pumps remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 44-14642; Filed, Sept. 22, 1944; 11:18 a. m.]

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PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-217, Revocation of Schedule IX]

TANK CAR HEATERS AND PUMPING BOOSTERS OR CIRCULATORS

Section 1157.29 *Schedule IX to Limitation Order L-217* is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of tank car heaters and pumping boosters or circulators remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 44-14643; Filed, Sept. 22, 1944; 11:19 a. m.]

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PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-217, Revocation of Schedule X]

BITUMINOUS PAVING FINISHERS

Section 1157.30 *Schedule X to Limitation Order L-217* is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of bituminous paving finishers remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 44-14644; Filed, Sept. 22, 1944; 11:19 a. m.]

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PART 1157—CONSTRUCTION MACHINERY

[LIMITATION ORDER L-217, REVOCATION OF SCHEDULE XII]

BITUMINOUS HEATING KETTLES

Section 1157.32 *Schedule XII to Limitation Order L-217* is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of bituminous heating kettles remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 44-14645; Filed, Sept. 22, 1944; 11:19 a. m.]

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PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-217, Revocation of Schedule XIII]

BITUMINOUS MATERIALS MAINTENANCE UNITS

Section 1157.33 *Schedule XIII to Limitation Order L-217* is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of bituminous materials maintenance units remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

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PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-217, Revocation of Schedule XIV]

BITUMINOUS PATCH PLANTS

Section 1157.34 *Schedule XIV to Limitation Order L-217* is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of bituminous patch plants remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

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PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L–217, Revocation of Schedule XV]

ASPHALT SURFACE HEATERS

Section 1157.35 *Schedule XV to Limitation Order L–217* is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of asphalt surface heaters remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

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PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L–341, Direction 1]

RECEIPT OF COMMERCIAL MOTORS IN THE FOURTH QUARTER OF 1944

The following direction is issued pursuant to Limitation Order L–341:

This direction applies only to persons who are required by Order L–341 to file applications on Form WPB–3825 for receipt of commercial motors in the fourth quarter of 1944. If you apply for and receive authorization and direction on Form WPB–3825 showing the quantities of commercial motors which you are permitted to receive during the fourth calendar quarter of 1944, the following rules apply:

1. Deliveries to you which you have shown as "Required" on your WPB–3825 application may be received during the fourth quarter of 1944, unless a different quantity is indicated in the column headed "Authorized", in which event you may not receive quantities in excess of those so indicated.

2. If the quantities authorized are greater than the quantities promised by your suppliers, you may notify the suppliers as to the quantities you have been authorized to receive (although this, of course, does not permit you to receive more than the aggregate quantities permitted by other orders or regulations, or preference ratings which you are otherwise permitted to apply or extend.) If the supplier or suppliers, listed on your WPB–3825 application, are unable to meet your requirements for the quantities authorized over and above those promised, you may secure such additional motors, if possible, from other suppliers.

3. If the quantities authorized are less than the quantities which you have ordered or been promised, you must reduce, postpone or cancel your orders to the extent necessary to bring your receipts during the quarter within the quantities authorized.

4. In some instances there may be two or more suppliers of a particular rating of motor, the authorized delivery of which is lower than the manufacturers' promises. In such cases it may be left to your choice to select those suppliers who shall be asked to reduce their deliveries to you, and as an indication that the choice is left to you, the several suppliers of a particular motor will be bracketed into one authorization in the "Authorization" column, or by other suitable means. Within ten days after receipt of authorization and direction on Form WPB–3825 you shall notify your supplier, or suppliers, to reduce their deliveries to you to the extent required by the authorization and direction and a copy of your notification(s) should be sent to the Fractional Horsepower Motor Section, General Industrial Equipment Division, War Production Board, Washington 25, D. C. The notification should mention not only your purchase order number, but also the motor horsepower and speed and the "B" product code number to which the reduced authorization applies.

5. In the event that you fail to receive delivery of the authorized quantities of the authorized quantities of specific ratings of motors during the quarter covered by the authorization, the deficiency may be received during a succeeding calendar quarter, in addition to that authorized on your subsequent application for the succeeding quarter or quarters, only if this is specifically authorized on the subsequent application, and should be explained under "Remarks."

Any questions concerning this direction should be directed to the Fractional Horsepower Motor Section, General Industrial Equipment Division, War Production Board, Washington 25, D. C.

Issued this 21st day of September 1944.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 44–14625; Filed, Sept. 21, 1944; 4:41 p. m.]

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PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M–310, Revocation of General Direction 4]

TANNING OF MILITARY QUALITY CALFSKINS

General Direction 4 to General Conservation Order M–310 (tanning of military quality calfskins) is hereby revoked. This revocation does not affect any liabilities incurred under the direction.

Issued this 21st day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 44–14626; Filed, Sept. 21, 1944; 4:42 p. m.]

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PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 4, as Amended Sept. 22, 1944]

ANHYDROUS HYDROFLUORIC ACID

§ 3293.1004 *Schedule 4 to General Allocation Order M–300*—(a) *Definition.* "Anhydrous Hydrofluoric Acid" means anhydrous hydrofluoric acid in liquid or gaseous form.

(b) *General restrictions.* Anhydrous hydrofluoric acid is subject to allocation under General Allocation Order M–300 as an Appendix A material. The initial allocation date is March 1, 1944. The allocation period is the calendar month, and the small order exemption is 5 tons per month.

(c) *Suppliers' applications on Form WPB–2946.* Each supplier seeking authorization to deliver shall file application on Form WPB–2946 (formerly PD–601). The filing date is the 20th day of the month preceding the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M–300–4. The unit of measure is the ton. An aggregate quantity may be requested, without specifying customers' names, for delivery on small orders of 5 tons or less per person per month. Fill in Table II.

(d) *Customers' applications for authorization on Form WPB–2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB–2945 (formerly PD–600). Filing date is the 15th day of the month preceding the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M–300–4, one copy (reverse side blank) to the supplier and retain one copy. File separate sets of forms for each different supplier. The unit of measure is the ton. In Column 3 specify each primary product, or specify "Resale" or "Export" if the anhydrous hydrofluoric acid is to be resold or exported as such. In Column 10 of Table I specify the delivery date required for such car of anhydrous hydrofluoric acid requested. Fill in the other columns of Table I, and fill in Tables II and III as indicated. Leave Tables IV and V blank.

(e) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget pursuant to Federal Reports Act of 1942.

(f) *Communications to War Production Board.* Communications concerning this schedule shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–4.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 44–14656; Filed, Sept. 22, 1944; 11:17 a. m.]

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PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, as Amended Sept. 22, 1944]

Par.

(a) Purpose and scope.
(b) Definitions.
(c) General allotment procedure.
(d) Bills of materials and applications for allotments.
(e) Responsibility for statements of requirements.
(f) Forms in which allotments made.
(g) Allotments by consumers.
(h) Methods of allotment.
(i) Method of cancelling or reducing allotments.
(j) Assignment of allotments.
(k) Grouping of allotments and schedules by major programs.
(k–1) Class A products sold to distributors or for MRO.

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2 General Preference Order M–186 also defines "district".

Sec.
(l) Small order procedure.
(m) Relationship between allotments and production schedules.
(n) Manner of authorizing production schedules.
(o) Authorized production schedules must be filled.
(p) Protection of Class A product schedules.
(q) Reconciliation of conflicting schedules.
(r) Alternative procedure for simultaneous allotments.
(s) How to place orders with controlled materials producers.
(s–1) Restrictions on placing authorized controlled material orders.
(t) Controlled materials producers.
(u) Restrictions on use of allotments and materials.
(v) Adjustments for purchases under Priorities Regulation 13.
(w) What to do if requirements change.
(x) Other War Production Board regulations and orders.
(y) Records and reports.
(z) Appeals and applications for relief.
(aa) Penalties.

PURPOSE AND SCOPE

§ 3175.1 *CMP Regulation 1.* (a) This regulation explains how allotments for manufacturing operations are made under the Controlled Materials Plan, how production schedules are authorized and how controlled materials are obtained. Other CMP regulations cover inventory restrictions, preference ratings, warehouses and distributors, maintenance, repair and operating supplies, construction and other matters.

DEFINITIONS

(b) The following definitions shall apply for the purposes of this regulation and for the purposes of any other CMP regulation unless otherwise indicated:

(1) "Controlled material" means steel—both carbon (including wrought iron) and alloy—copper (including copper base alloys) and aluminum, in each case only in the forms and shapes indicated in Schedule I attached.

(2) "Controlled Materials Division" means the Steel Division, the Copper Division or the Aluminum Division of the War Production Board.

(3) "Industry Division" means the Division, Bureau, or other unit of the War Production Board which is charged with supervision over the operations of a particular industry. The term also includes any other government agency which, by arrangement with the War Production Board, may perform similar functions with respect to a particular industry.

(4) "Claimant Agency" means the following government offices and such others as may be designated from time to time. (Identifying symbols are indicated in parentheses.)

War Department (W)—except Ordnance which is identified by the symbol (O).
Navy Department (N).
Maritime Commission (M).
Aircraft Resources Control Office (agent for Army Air Forces and Bureau of Aeronautics of United States Navy (C).
Foreign Economic Administration—Office of Lend-Lease Administration (L).
Foreign Economic Administration—Office of Economic Warfare (E).
Office of Civilian Requirements (V).
Department of Agriculture (A)
Office of Defense Transportation (T).
Office of Rubber Director (R).
Petroleum Administration for War (P).
National Housing Agency (H).
Office of War Utilities (U).

The symbol (F) will be used by several Claimant Agencies to identify certain construction programs; the symbols (B), (G), (J) and (K) will be used to identify certain B product programs; the symbol (D) will be used to identify certain programs covering items destined for the Dominion of Canada; the symbol (S) will be used to identify certain miscellaneous programs including certain B product programs and construction programs; the symbol (SO) will be used to identify small orders as defined in paragraph (1) and the symbol (Z) will be used to identify production authorized under Priorities Regulation 25 and certain other programs. The symbols (B), (D), (F), (G), (J), (K), (Z), (SO) and (RO) constitute Claimant Agency symbols for the purpose of all CMP regulations.

(5) "Allotment" means (i) a determination by the Requirements Committee of the War Production Board of the amount of controlled materials which a Claimant Agency may receive during a specified period, or (ii) a further determination pursuant thereto by a Claimant Agency, Industry Division, prime consumer or secondary consumer, as to the portion of its allotment of controlled materials which may be received by one of its prime consumers or secondary consumers, as the case may be.

(6) "Prime consumer" means any person who receives an allotment of controlled material from a Claimant Agency or an Industry Division.

(7) "Secondary consumer" means any person who receives an allotment of controlled material from a prime consumer or another secondary consumer.

(8) "Class A product" means any product which is not a Class B product (as defined in subparagraph (9) below), and which contains any steel, copper or aluminum, fabricated or assembled beyond the forms and shapes specified in Schedule I, other than such steel, copper or aluminum as may be contained in Class B products incorporated in it as parts or sub-assemblies.

(9) "Class B product" means any product designated as such in the "Official CMP Product List" printed in "Products and Priorities" issued by the War Production Board, as the same may be modified from time to time, which contains any steel, copper or aluminum, fabricated or assembled beyond the forms and shapes specified in Schedule I, other than such as may be contained in other Class B products incorporated in it as parts or sub-assemblies.

(10) "Program" means a plan specifying the total amount of an item or class of items to be provided in a specified period of time.

(11) "Authorized program" means a program specifically authorized by the Requirements Committee or by a Claimant Agency or Industry Division within the limits of its allotment.

(12) "Production schedule" means a plan specifying the total amount of an item or class of items to be produced by an individual consumer in a specified period of time.

(13) "Authorized production schedule" means a production schedule specifically authorized within the limits of an authorized program by a Claimant Agency or by an Industry Division with respect to a prime consumer, or specifically authorized by a prime or secondary consumer with respect to a secondary consumer producing products for it as required to meet an authorized production schedule.

(14) "Delivery order" means any purchase order, contract, release or shipping instruction which constitutes a definite and complete instruction from a purchaser to a seller calling for delivery of any material or product. The term does not include any contract, purchase order, or other arrangement which, although specifying the total amount to be delivered, contemplates that further instructions are to be given.

(15) "Authorized controlled material order" means any delivery order for any controlled material as such (as distinct from a product containing controlled material) which is placed pursuant to an allotment as provided in paragraph (s) of this regulation or which is specifically designated to be such an order by any regulation or order of the War Production Board.

GENERAL ALLOTMENT PROCEDURE

(c) This paragraph explains the general allotment procedure.

*Allotments by Requirements Committee to Claimant Agencies*

(1) The Requirements Committee of the War Production Board will distribute the available supply of controlled materials by making allotments to the Claimant Agencies or Industry Divisions for each quarter, designating the amount of each form of controlled material available, during the quarter, to each Claimant Agency or Industry Division for allotment to its prime and secondary consumers.

*Allotments by Claimant Agencies to Prime Consumers Producing Class A Products*

(2) Each Claimant Agency will distribute the allotments received by it by making further allotments to the prime consumers who produce Class A products for it. Such allotments will designate the amount of each form of controlled material available to each such

prime consumer, during the quarter, for use by it or allotment to the secondary consumers producing Class A products as parts or sub-assemblies for it. A prime consumer producing Class A products for several Claimant Agencies shall obtain separate allotments from each. A Claimant Agency, may, in particular cases, make allotments through an Industry Division.

*Allotments by Industry Divisions to producers of Class B products*

(3) Unless otherwise specifically directed, allotments to producers of Class B products will be made only by Industry Divisions, both in the case of Class B products which are end-products and in the case of Class B products which are incorporated in other products whether Class A or Class B. Allotments made by the Requirements Committee may be made available to the Industry Divisions for this purpose by the Claimant Agencies. Each Industry Division will make allotments to the prime consumers producing Class B products under its jurisdiction. In addition, allotments for products for which application may be made under Priorities Regulation 25, will be made by the Field Offices of the War Production Board. Such allotments will designate the amount of each form of controlled material available to each such prime consumer, during the quarter, for use by it or allotment to secondary consumers producing Class A products for it. A manufacturer of several Class B products coming under the jurisdiction of different Industry Divisions shall obtain separate allotments from each. A consumer producing Class B products is always a prime consumer with respect to such production.

*Allotments by Prime and Secondary Consumers*

(4) Each prime consumer receiving an allotment may use that portion of the allotment which he requires to obtain controlled materials as such for his authorized production schedule, and shall allot the remainder to his secondary consumers producing Class A products for him, to cover their requirements for controlled materials. Allotments by secondary consumers to secondary consumers supplying them may be made in the same fashion. A secondary consumer producing Class A products for several other consumers shall obtain separate allotments from each.

*Advance Allotments*

(5) Advance allotments by Claimant Agencies or Industry Divisions to prime consumers may be made within specified limits before receipt of allotments from the Requirements Committee in order to assure fulfillment of long term programs and schedules. Prime consumers receiving such advance allotments may, in turn, make allotments to their secondary consumers, and secondary consumers may make further allotments, in the same manner as in the case of ordinary allotments, but no consumer shall make any allotment in advance of receiving his own allotment.

*Allotment Numbers*

(6) (i) Allotments to prime consumers shall usually be identified by allotment numbers consisting of a Claimant Agency letter symbol and seven digits. This seven-digit allotment number is known as a: "Full CMP allotment number." The Claimant Agency symbol is indicated after the name of each Agency in paragraph (b) (4) of this regulation. The first four digits identify the authorized program of the Claimant Agency. The next three digits identify the authorized production schedule of the prime consumer. The numerical identification of months and quarters as previously required is abolished. Allotments must show the quarter for which the allotment is valid—for example, "3rd quarter 1943" instead of "19". This may be abbreviated as "3Q43" and should appear immediately following the allotment number. Orders for controlled materials must indicate the month delivery is required instead of a month number—for example, "July, 1943." The change from the numerical system shall take effect on July 1, 1943, but shall not apply to orders placed, or allotments made, before then.

(ii) Allotments to secondary consumers shall be identified by a CMP allotment symbol consisting only of a major program identification. The major program identification shall consist of the Claimant Agency letter symbol followed by the first digit only of the program number (omitting the last three digits of the program number and the entire schedule number). For example, in the case of an allotment to a prime consumer for the third quarter of 1943, designated W–2345–687, the allotment to a secondary consumer will be simply W–2–3Q43 denoting an allotment for major program number 2 of the War Department for delivery of controlled materials in the third quarter of 1943. The term "abbreviated allotment number" will no longer be used. Instead, the term "CMP allotment symbol" will include an abbreviated allotment number, as well as any other symbol (such as, "MRO") which is so designated by any War Production Board order or regulation.

BILLS OF MATERIALS AND APPLICATIONS FOR ALLOTMENTS

(d) This paragraph explains the use of bills of materials, applications for allotments and other information, in making allotments.

*General*

(1) The basis for an allotment to a consumer shall be his actual requirements for controlled materials in connection with the fulfillment of an authorized production schedule. The production schedule shall be authorized as provided in paragraph (n) of this regulation. Information as to requirements shall be in the form of a bill of materials, an application for allotment and/or other information as provided below in this paragraph (d).

*Bills of Materials*

(2) A bill of materials shows the amounts of controlled materials required by a consumer and his secondary consumers, irrespective of time of delivery and inventory, for production of one unit or a specified number of units of his product. Bills of materials shall be prepared in the manner specified in "General Instructions on Bills of Materials," on forms CMP–1, CMP–2 and CMP–3 or on such other forms as may be prescribed. No consumer shall be required to furnish a bill of materials on any form which is not officially prescribed (as indicated by a Bureau of Budget number), but in cases where another form is in use which gives the same information as the official form, the Claimant Agency, Industry Division or consumer to whom a bill of materials is to be furnished may accept it on such other form.

*Application for Allotment*

(3) An application for allotment shows the aggregate amount of each form of controlled material required (after taking inventories into account to the extent required by CMP Regulation No. 2) by a consumer and his secondary consumers during each quarter for his entire production of a specified product or class of products for the same customer, in the case of Class A products, or for all customers (unless otherwise directed) in the case of Class B products. Applications are to be made by manufacturers of Class A products on Form CMP–4A as issued by the appropriate Claimant Agency, and by manufacturers of Class B products on Form CMP–4B as issued by the War Production Board, Form WPB–4000 (for production under Priorities Regulation 25) or on such other forms as may be prescribed. Allotments are to be made on a quarterly basis and applications for allotments are also to be made on a quarterly basis, in lieu of a monthly basis as originally prescribed, except as may otherwise be required in any allotment or by the applicable application form.

*Class B Components Not Included*

(4) A bill of materials or application for allotment shall *not* include controlled materials required for manufacture of Class B products which will be incorporated in the product with respect to which the bill of material or application is submitted, although information as to the number or value of such Class B products is to be given in bills of materials to the extent required by the instructions.

*MRO Excluded*

(5) Requirements for maintenance, repair or operating supplies shall *not* be included in bills of materials or applications for allotment. Requirements for such purposes are to be obtained separately as provided in CMP Regulation No. 5, CMP Regulation No. 5 A and orders in the P and U series.

*Where and When to File*

(6) Bills of materials and applications for allotments shall be filed with the Claimant Agency, Industry Division or other consumer by whom the allotment is to be made, as indicated in paragraph (c) of this regulation. Bills of materials shall be filed only when and as called for by such Claimant Agency, Industry Division or other consumer. Manufacturers of Class A products shall file applications for allotments only when and as called for by the Claimant Agency or other consumer for whom they make their products. Manufacturers of Class B products who will require controlled materials from controlled materials producers (or whose secondary consumers will require the same) must file applications for allotments on Form CMP–4B by such date as may be designated or approved by the appropriate Industry Division (or in special cases by a Claimant Agency). Those manufacturers of Class B products who will obtain their requirements of controlled materials entirely from warehouses or retailers, and whose secondary consumers will do the same, need not file any applications for allotments. Procedures for obtaining controlled materials from warehouses or retailers, and limitations on the amount which may be obtained are provided in CMP Regulation No. 4. Manufacturers of Class A products who sell them for use as maintenance, repair or operating supplies, or deliver them to distributors, shall obtain allotments on Form CMP–4B as provided in paragraph (k–1) of this regulation.

*Additional Information*

(7) Each person making an allotment may require such other information in lieu of, or in addition to, a bill of materials or application for allotment as is required to enable him to make the allotment requested or to furnish any bill of materials, application for allotment or other information that may be required of him. If the consumer from whom such other information is requested is of the opinion that compliance with such request would be unreasonably burdensome he may appeal for relief as provided in paragraph (z) of this regulation.

*Waiver*

(8) Any consumer making an allotment may waive the furnishing of a bill of materials or application for allotment, or both, if he has other information as to actual requirements of his secondary consumers (taking into account the inventory restrictions of CMP Regulation No. 2) which is sufficiently accurate and detailed to enable him to make the allotment and to furnish any bill of materials, application for allotment or other information that may be required of him.

RESPONSIBILITY FOR STATEMENTS OF REQUIREMENTS

(e) (1) The furnishing of any bill of materials, application for allotment or other information as to requirements by a consumer, shall constitute a representation by him to the person to whom it is furnished, to the appropriate Claimant Agency and to the War Production Board, that the statements contained therein are complete and accurate, to the best of his knowledge and belief, not only with respect to such consumer's own requirements but also with respect to those of his secondary consumers.

(2) Any person who ascertains that he has substantially overstated (whether by inadvertence or otherwise) his requirements, or those of his secondary consumers, for any form of controlled material, shall immediately report such error to the person to whom the statement of requirements was furnished. If he has already received an allotment based on such overstatement, he shall immediately cancel or reduce the same (or an equivalent amount of other allotments received for the same authorized production schedule) to the extent of such excess, and report such cancellation or reduction to the person from whom the allotment was received; or if he is unable for any reason to make such cancellation, he shall immediately make a full report to the person from whom he received the allotment, and shall send a copy of such report to the appropriate Claimant Agency or Industry Division, if the allotment was received from another consumer.

(3) If any consumer receives any statement of requirements which he knows or has reason to believe to be substantially excessive (whether by inadvertence or otherwise), he shall withhold any allotment based thereon (either entirely or in an amount sufficient to correct the maximum excess) until satisfied that the statement is not excessive or that it has been appropriately modified. If unable to obtain sufficient information or an appropriate modification, he shall promptly report the matter to the appropriate Claimant Agency or Industry Division. Failure to withhold allotments or to make such report shall be deemed participation in the offense.

(4) If, after making any allotment, a consumer ascertains or has reason to believe that the allotment was substantially in excess of actual requirements, he shall either (i) correct the excess by cancelling or reducing the allotment or other allotments made by him to the same consumer, or (ii) report the matter promptly to the appropriate Claimant Agency or Industry Division. Failure to make such correction or report shall be deemed participation in the offense.

(5) An inadvertent overstatement of requirements shall be deemed substantially excessive for purposes of subparagraphs (2), (3), and (4) of this paragraph (e) if, but only if, it exceeds actual requirements by either (i) one-third or more of actual requirements or (ii) the minimum mill quantity specified in Schedule IV attached, whichever is less.

FORMS IN WHICH ALLOTMENTS MADE

(f) Each allotment, whether made by a Claimant Agency, an Industry Division or a prime or a secondary consumer, shall specify the form of the controlled material allotted. Allotments of steel shall be in terms of (1) carbon steel (including wrought iron) and (2) alloy steel, without further breakdown. Allotments of aluminum will be in terms of "aluminum", without any breakdown, instead of the breakdown formerly provided into nine forms and shapes. Allotments of copper shall be broken down as indicated in Schedule I. A consumer may make allotments only in the same forms of controlled materials in which he has received his allotment, except that a consumer may, if he desires, break allotments of aluminum down into the forms and shapes formerly provided. In such a case, however, the person receiving the allotment may ignore the breakdown and may treat it as though made in terms of "aluminum".

ALLOTMENTS BY CONSUMERS

(g) (1) No consumer shall make any allotment in an amount which exceeds the related allotment received by him, after deducting all other allotments made by him and all orders for controlled materials placed by him pursuant to his related allotment.

(2) No consumer shall make any allotment in excess of the amount required, to the best of his knowledge and belief, to fulfill the related authorized production schedule of the secondary consumer to whom the allotment is made (including the schedules of any secondary consumers supplying the latter).

(3) No consumer shall make any allotment for the production of Class B products and no person shall accept any allotment from a consumer for the production of Class B products, except as permitted by Direction 36 to CMP Regulation No. 1.

(4) No consumer who has received his allotment for an authorized production schedule shall place any delivery order (other than small orders placed pursuant to paragraph (l) of this regulation) for any Class A product required to fulfill said schedule, unless concurrently therewith, he makes an allotment to the person with whom the order is placed, in the amount required by such person to fill said order (taking such person's inventory into account to the extent required by CMP Regulation No. 2); however, if he purchases a Class A product which has been manufactured under the provisions of paragraph (k–1) of this regulation, he need make no allotment for such product.

(5) Paragraph (g) (4) does not apply in the case of any order for a Class A product required to fill an authorized production schedule identified by a CMP allotment symbol Z–1. However, in such a case, the manufacturer of the Class A product may reject the order, whether the order is rated or not, if an allotment is not made, or controlled materials furnished, in an amount required to fill the order (taking his inventory into account to the extent required by CMP Regulation 2).

METHODS OF ALLOTMENT

(h) (1) A consumer may make an allotment to his secondary consumer on such form (including Form CMP–5 set forth in Schedule II) as may be prescribed for the purpose. Allotments may be made by telegraphing the information required by the appropriate form and confirming the same with such form.

2. Every consumer shall place on each allotment made by him the CMP allotment symbol which is on the related allotment received by him, and shall indicate the quarter for which the allotment is valid, except that if the full allotment number described in subdivision (i) of paragraph (c) (6) of this regulation is on the allotment received by him, he need only place on related allotments made by him the CMP allotment symbol described in subdivision (ii) of paragraph (c) (6). If a consumer places a delivery order for which he has made an allotment by separate instrument, he shall place the appropriate number on said order, and shall indicate the quarter for which the allotment is valid.

METHOD OF CANCELLING OR REDUCING ALLOTMENTS

(i) A person who has made an allotment may cancel or reduce the same by notice in writing to the person to whom it was made. A person who has received an allotment may cancel or reduce the same by making an appropriate notation thereon and notifying the person from whom he received it. In either case, if an allotment received by a person is cancelled he must cancel all allotments which he has made, and all authorized controlled material orders which he has placed, on the basis of the allotment; and, if an allotment received by a person is reduced, he must cancel or reduce allotments which he has made, or authorized controlled material orders which he has placed, to the extent that the same exceed his allotment as reduced. If such cancellation or reduction is not practicable, he may make equivalent cancellations or reductions with respect to other allotments received by him for the same production schedule. Where such course of action is not practicable he may use or dispose of controlled materials or Class A products which he gets with an allotment in the way explained in paragraph (u) of this regulation. If at the time an authorized controlled material order is cancelled pursuant to this paragraph, the consumer would be entitled to receive the controlled material because of the provisions of paragraphs (c) (2) and (c) (4) of CMP Regulation No. 2, the allotment has been used and may not be returned, or used for another purpose, irrespective of whether the order is in fact cancelled or not.

ASSIGNMENT OF ALLOTMENTS

(j) (1) No consumer shall transfer or assign any allotment in any way unless:

(i) Delivery orders placed with him, in connection with which the allotment was made to him, have been transferred or assigned to another consumer;

(ii) The authorized production schedules of the respective consumers have been duly adjusted; and

(iii) The transfer or assignment is approved in writing by the person who made the allotment.

(2) Transfers or assignments of allotments may be made without complying with paragraph (j) (1) of this regulation in connection with the transfer or assignment of a business as a going concern where the transferee continues to operate substantially the same business in the same plant and where he uses substantially the same trade-mark or trade name. The transferee may use the allotment and ratings of the transferor but the transferee must notify the War Production Board Ref: CMP Division of the details of the transaction, giving the names of the persons involved and furnishing one extra copy of such notification for each authorized production schedule that he has received from the War Production Board.

GROUPING OF ALLOTMENTS AND SCHEDULES BY MAJOR PROGRAMS

(k) A consumer operating under several authorized production schedules may combine in a single allotment to a secondary consumer requirements for any number of different production schedules which are identified by the same CMP allotment symbol as provided in paragraph (c) (6) (ii), and he may authorize a single production schedule for the secondary consumer in connection with such allotment. If the secondary consumer has filed separate applications, and the consumer making the allotment acts on such applications separately, the secondary consumer may nevertheless treat such allotments and authorized production schedules bearing the same major program number as a single allotment and a single authorized production schedule.

CLASS A PRODUCTS TREATED AS CLASS B PRODUCTS

(k–1) (1) A distributor of Class A products who receives physical delivery thereof may, unless otherwise specifically ordered, buy and sell the same without making or receiving allotments. A manufacturer of Class A products selling them directly or indirectly to such distributors may obtain an allotment for such manufacture from the appropriate Industry Division pursuant to application on Form CMP–4B in the same manner as if they were Class B products. If physical delivery is made directly by the manufacturer to a distributor's customer, the latter (unless he is also a distributor) shall make an allotment directly to the manufacturer in the same manner and subject to the same conditions as if the distributor had no part in the transaction.

(2) A manufacturer of Class A products who sells them for use as maintenance, repair or operating supplies (except items directly purchased and programmed by a Claimant Agency) shall, unless otherwise specifically ordered, obtain allotments for such manufacture in the same manner as provided in subparagraph (1) of this paragraph (k–1) for delivery to distributors. Applications pursuant to said subparagraph (1) and this subparagraph (2) may be combined in a single application on Form CMP–4B.

(3) A manufacturer who also sells purchased Class A products to round out his line, which do not represent more than 10% of his total sales, shall be deemed the manufacturer of such products and not a distributor for purposes of this paragraph (k–1).

(4) A manufacturer of a Class A product for which application may be made under Priorities Regulation 25, may obtain his allotment pursuant to application under that Regulation to the Field Offices of the War Production Board.

(5) A Class A product for which allotments are made directly by the War Production Board under this paragraph (k–1) shall be treated in all respects as a Class B product for the purpose of this regulation.

SMALL ORDER PROCEDURE

(l) This paragraph explains how orders for Class A products requiring small quantities of controlled materials may be placed without making an allotment.

*Definition of Small Order*

(1) A "small order" for purposes of this regulation is a delivery order for a Class A product placed with a manufacturer where the amount of any controlled material required to fill the order does not exceed the following:

| | |
|---|---|
| Carbon steel (including wrought iron) and alloy steel | 10 tons. |
| Copper wire mill and brass mill products | 1,000 lbs. |
| Copper and copper base alloy foundry products | 300 lbs. |
| Aluminum | 2,000 lbs. |

The small order procedure may not be used to get from all suppliers more of the same Class A product for use in the same authorized production schedule during the same calendar quarter than can be made out of the quantities of controlled materials shown above. A person may place small orders for delivery in any one calendar quarter for any number of different Class A products, provided the quantities of controlled materials for each Class A product are within these limits.

(2) A Class A product is considered different from another Class A product if

it differs from the other product by reason of one or more of its specifications such as width, thickness, temper, alloy, finish, and the like. A person must not, however, vary a minor specification just for the purpose of using the small order procedure. For example, if a person is purchasing several different kinds of springs, he may treat each different type or size of spring as a separate Class A product, and orders placed for each type or size which require controlled materials for their production within the quantity limits specified in paragraph (1) above constitute small orders, but he must not vary the specifications of the springs just to be able to place small orders.

*Persons Entitled to Use the Small Order Procedure*

(3) Only a prime consumer who has received an authorized production schedule from a Claimant Agency or the War Production Board, or a secondary consumer who has received an authorized production schedule from a prime consumer or from another secondary consumer, can use the small order procedure to get Class A products needed as production material to fill the authorized production schedule. A Claimant Agency may use the small order procedure to purchase Class A products for its own use.

*How to Place Small Orders for Class A Products*

(4) A person placing a small order does not have to make an allotment and therefore does not have to show any allotment number or quarterly designation on his order. He must endorse his order with the symbol SO, the preference rating assigned his production schedule, and either the certification set out in CMP Regulation No. 7 or the one set out in CMP Regulation No. 3. Since he does not make an allotment he does not have to account for controlled materials purchased to fill the order and does not need to make any deduction from his own allotment. A person, in filing an application for allotments, need make no adjustment for controlled materials needed to make Class A products which he may buy under the small order procedure.

(5) Where a person places orders for a particular Class A product under the small order procedure believing his total requirements for the product during the quarter will be within the small order limits and later discovers that, due to circumstances he could not reasonably have foreseen, his total requirements for the product during the quarter will not be within the small order limits, he may still use the small order procedure, but must charge his allotment account with the total quantity of controlled materials needed to fill all orders for the product to be delivered in the quarter. However, if he does not have enough controlled materials in his allotment account to cover all of his orders for the product, he must not use the small order procedure to buy the additional quantity, but may apply for an allotment to make up the difference.

*How to Obtain Production Materials to Fill Small Orders*

(6) A manufacturer of Class A products who receives small orders may get controlled materials needed to fill them by endorsing his purchase orders for controlled materials with the allotment symbol SO and the certification set out in paragraph (s) (3) of this regulation or the certification set out in CMP Regulation No. 7. An order so endorsed is an authorized controlled material order. The manufacturer does not have to show any quarterly designation, or preference rating on the order. He must show the date or month when he needs to have the controlled material delivered to him either for the production of the product ordered under the small order procedure or to replace in inventory controlled material so used. If a manufacturer uses controlled materials from inventory in filling small orders, he may place authorized controlled material orders, endorsed with the SO symbol, calling for delivery of controlled materials after the small orders were delivered to his customer. He may use the SO symbol and extend his customers' ratings to get Class A products needed to fill small orders. A manufacturer of Class A products may, in buying controlled materials or Class A products to be used in filling small orders for his product, combine the requirements to fill all small orders received by him. Where, in combining requirements for Class A products to fill small orders, the total amount of controlled materials required for their production is greater than the amounts shown in subparagraph (1) above, he should let his supplier know that this results from combining requirements, by endorsing on his order a statement substantially as follows:

The Class A products covered by this purchase order represent the combined requirements to fill SO orders received by me.

(7) Materials other than controlled materials, and Class B products required to fill small orders may be purchased subject to the same limits as apply to an authorized production schedule, that is they may only be ordered for delivery at the time and in the quantities necessary to meet the delivery dates specified on the small orders, subject to the inventory limits set forth in Priorities Regulation No. 1. The rating applied to deliveries of Class A products covered by a small order may be used to buy Class A products, Class B products and materials other than controlled materials, needed to fill the order. The symbol SO must be endorsed together with the rating on all orders for such production materials.

(8) If a customer placing a small order makes an allotment to cover it instead of using the symbol SO, the manufacturer who receives the order may treat the order as a small order just as though it had been endorsed with the symbol SO and no allotment had been made. He must not, however, use the allotment in such a case. In other words, a manufacturer of a Class A product receiving an allotment of controlled materials which is within the small order controlled material quantity limits has the option of either using the allotment and allotment number, or the small order procedure, but not both. A manufacturer who receives a small allotment which he chooses to treat as a small order, does not have to return the allotment or keep any record of its receipt.

*Production Records*

(9) A manufacturer of Class A products must keep records which will show the amount of controlled materials ordered by the use of the SO symbol, and his production records must be accurate enough to show that the quantity of Class A products produced to fill small orders is reasonably related to the amount of controlled materials bought by the use of the SO symbol.

*Bill of Materials Not Required*

(10) A manufacturer of a Class A product does not have to furnish his customer with a bill of materials, application for allotment, or equivalent information as to the amount of controlled materials needed to fill any particular small order. He must, however, if requested, tell his customer the number of units of the Class A product ordered which he can manufacture within the limits of the quantities of controlled materials set forth in subparagraph (1) above, or he must, at the option of his customer, inform the customer that the amount of each controlled material needed to fill the order is within the permitted small order limits.

RELATIONSHIP BETWEEN ALLOTMENTS AND PRODUCTION SCHEDULES

(m) Every allotment made by a consumer must include or be accompanied by authorization of a production schedule with respect to the products to be supplied to him, and no consumer shall authorize a production schedule for a secondary consumer unless he concurrently allots the controlled materials required to fulfill the schedule; provided, however, that this paragraph shall not apply to any delivery order bearing a symbol (such as a small order bearing the symbol SO) which may be placed without making an allotment as expressly permitted by any regulation or order of the War Production Board. Also it is not necessary to make an allotment when authorizing a production schedule identified by the CMP allotment symbol Z–1.

MANNER OF AUTHORIZING PRODUCTION SCHEDULES

(n) (1) A production schedule for each prime consumer producing a Class A product shall be authorized by the appropriate Claimant Agency on such form as may be prescribed. A Claimant Agency may, in particular cases, authorize a production schedule through an Industry Division.

(2) A production schedule for each secondary consumer producing a Class A product shall be authorized by the consumer for whom such Class A product is to be produced, on such form as may be prescribed; provided, however, that the delivery date specified on a delivery order shall constitute an authorization of the

minimum production schedule required to permit delivery on such date.

(3) A production schedule for each consumer producing a Class B product shall be authorized by the appropriate Industry Division (or in special cases by a Claimant Agency) on such form as may be prescribed.

(4) A consumer receiving allotments from several persons shall obtain separate authorized production schedules from each.

(5) Prior to authorizing a production schedule, a Claimant Agency, Industry Division or consumer may furnish a tentative production schedule to be used as a basis in submitting requirements, but such action shall not constitute authorization of a schedule.

(6) A consumer ordering Class A products to fill an authorized production schedule identified by the CMP allotment symbol Z–1 must authorize a production schedule in the manner described in this paragraph (n) even though no allotment is made with the schedule. In such a case, the quarterly identification described in paragraph (c) (6) (i) need not be used. Such quarterly identification must, however, be used in any case where an allotment is made for such schedule.

AUTHORIZED PRODUCTION SCHEDULES MUST BE FILLED

(o) (1) Each consumer receiving an authorized production schedule shall fulfill the same unless prevented by circumstances beyond his control, except that a manufacturer of Class B products need not produce more than required to fill orders bearing preference ratings.

(2) No consumer who has received an authorized production schedule shall exceed such schedule in any month, except that (i) a deficiency in meeting an authorized production schedule during any month may be made up in any subsequent month or months, (ii) production authorized for any month may be completed at any time after the 15th of the preceding month and, (iii) where a delivery order calls for deliveries, on several dates, of Class A products in quantities which are less than the minimum practicable production quantity, and compliance with monthly production schedules would result in substantial interruption of production and consequent interference with production to fill other delivery orders, the consumer may produce (and his customer may order and receive) at one time the minimum practicable quantity which may be made without such interference. A person shall be deemed to exceed an authorized production schedule if his completion of finished products exceeds the limits authorized, or if his rate of fabricating, assembling, or otherwise processing, or acquiring raw materials or parts, exceeds the practicable working minimum required to meet the authorized production schedule.

(3) [Deleted October 4, 1943]

PROTECTION OF CLASS A PRODUCT SCHEDULES

(p) (1) No person shall accept an allotment for the manufacture of a Class A product, regardless of the accompanying preference rating, if he does not expect to be able to fulfill the related authorized production schedule, subject to unexpected contingencies and to any period of grace which may be specified by the person who offers the allotment and the authorized schedule.

(2) No person who has accepted an allotment and an authorized production schedule for a Class A product shall thereafter accept any delivery order (except an order rated AAA) for any Class A, Class B or other product manufactured by him, regardless of the accompanying preference rating or allotment number or symbol, unless he expects that, subject to unexpected contingencies, he can fill the order without interfering with the fulfillment of such previously accepted authorized production schedule.

(3) A person making Class B products to fill unrated or low rated orders must accept higher rated orders to the extent and subject to the exceptions provided in Priorities Regulation No. 1, unless he is also making a Class A product on an authorized production schedule, with which such higher rated orders would interfere contrary to the provisions of subparagraph (2) above.

(4) If a person whose allotment or delivery order is rejected pursuant to this paragraph (p) is unable to find another supplier who is in a position to accept it, he should report the facts to the appropriate Claimant Agency or Industry Division. The War Production Board (or the appropriate Claimant Agency, if only orders bearing its symbol are involved, or if all Claimant Agencies concerned have stipulated a single Claimant Agency for the purpose) may make exceptions to the provisions of this paragraph (p) where necessary to assure the filling of orders bearing high preference ratings.

(5) The provisions of Priorities Regulation No. 1 with respect to the acceptance and filling of rated orders and the sequence of deliveries shall remain applicable except as otherwise specifically provided in this regulation, CMP Regulation No. 3, or any other applicable regulation or order of the War Production Board.

RECONCILIATION OF CONFLICTING SCHEDULES

(q) In any case where, for any reason, a manufacturer of Class A or Class B products is unable to fulfill conflicting authorized production schedules which he has accepted from different persons, he shall immediately report to the appropriate Industry Division for directions, except that such report shall be made to a Claimant Agency if all conflicting schedules bear its symbol or if all Claimant Agencies whose schedules conflict have stipulated a single Claimant Agency for such purposes. (See Interpretation No. 15 to CMP Regulation No. 1.)

ALTERNATIVE PROCEDURE FOR SIMULTANEOUS ALLOTMENTS

(r) A prime or secondary consumer who has several secondary consumers in different degrees of remoteness and finds it impracticable to determine the exact allotments to be made to each of his immediate secondary consumers, for their needs and those of their secondary consumers, may, at his option, make simultaneous direct allotments to each secondary consumer, of all degrees of remoteness, by adopting the following procedure:

(1) The consumer who is to make the allotment (hereafter in this paragraph (r) called the originating consumer) shall maintain a complete list of all secondary consumers making Class A products for incorporation in his product. He shall keep this list current at all times by requiring each of his immediate secondary consumers to report promptly to him any change with respect to the source of each secondary consumer's Class A purchased products.

(2) Immediately upon receiving an allotment, the originating consumer shall notify each secondary consumer on the list (either directly or through intervening secondary consumers) of the authorized schedule for which the allotment has been made to him. Such notice shall *not* include an allotment number. It shall identify the product to be delivered by the secondary consumer to whom the notice is sent and state the quantity to be delivered and the time when delivery is required.

(3) Promptly upon receipt of such preliminary notice, each secondary consumer shall report to the originating consumer directly (not through intervening secondary consumers), the amount of each form of controlled material required by him each month in order to make the deliveries indicated. Each such secondary consumer shall include only his own requirements of controlled materials, *not* those of his secondary consumers. No form is prescribed for such statement.

(4) The originating consumer shall then determine the total requirements of all his secondary consumers under the schedule, checking the list to make certain that a preliminary statement of requirements has been received from each secondary consumer.

(5) If such summary shows that the aggregate requirements of the originating consumer and all his secondary consumers for each form of controlled material do not exceed the allotment made to him for the schedule he may then allot directly to each secondary consumer on the list the amount indicated in the preliminary statement of requirements. No form is prescribed for such allotment, and it may be made by telegram, but it must include the allotment number required by paragraph (c) (6) (ii) of this regulation and must show the quarter for which the allotment is valid, and a statement substantially as follows: "This allotment is made in accordance with the alternative procedure for simul-

taneous allotments provided in paragraph (r) of CMP Regulation No. 1." Such allotment shall constitute authorization of a production schedule for the secondary consumer in the amount specified in the notice sent to him pursuant to subparagraph (2) of this paragraph (r). If aggregate requirements do not exceed his allotment, the originating consumer shall be under no obligation to check the accuracy of the preliminary statements received from his secondary consumers before making allotments to them, but otherwise he and his secondary consumers shall remain subject to the provisions of paragraph (e) of this regulation regarding responsibility for statements of requirements.

(6) If the summary shows that the aggregate requirements of the originating consumer and all his secondary consumers exceed the allotment made to him with respect to any form of controlled material, the originating consumer shall not make any allotment or place any authorized controlled material order for the production schedule covered by his allotment until and unless:

(i) Requirements have been revised by himself or by one or more of his secondary consumers to the extent necessary to eliminate such excess, or

(ii) With the express permission of the appropriate Claimant Agency or Industry Division after he has reported the facts to it, he withholds an amount sufficient to cover all adjustments which must be made in the requirements of his secondary consumers in order to bring them within his allotment.

HOW TO PLACE ORDERS WITH CONTROLLED MATERIALS PRODUCERS

(s) (1) A delivery order placed with a controlled materials producer for controlled material shall be deemed an authorized controlled material order if, but only if, it complies with the provisions of this paragraph (s) or is specifically designated as an authorized controlled material order by any regulation or order of the War Production Board.

(2) A consumer who has received an allotment may place an authorized controlled material order with any controlled materials producer, unless otherwise specifically directed. An allotment to a prime consumer may include a direction to place delivery orders for controlled materials with one or more designated controlled materials producers. In such event the consumer shall use the allotment only to obtain controlled materials from the designated controlled materials producer or producers or to make allotments to secondary consumers, designating therein only producers named in the allotment received by him. Except as required by the allotment which he has received, no consumer shall impose any such restriction in any allotment made by him.

(3) Every authorized controlled material order must be identified by an endorsement including an allotment number or symbol. Unless another form of endorsement is specifically prescribed by an applicable order or regulation of the War Production Board, such endorsement shall be in substantially the following form (or in the form prescribed in CMP Regulation No. 7), signed manually or as provided in Priorities Regulation No. 7:

The undersigned certifies, subject to the criminal penalties of section 35 (A) of the U. S. Criminal Code, that he has received an allotment or allotments of controlled materials (or delivery orders not requiring allotments) authorizing him, pursuant to CMP Regulation No. 1, to place an authorized controlled material order in the amount herein indicated for delivery in the month specified, and that he is authorized to use the allotment number _____.

The allotment number included in such endorsement shall be the CMP allotment symbol prescribed by paragraph (c) (6) (ii) of this regulation. Each such order must indicate a specific delivery month in the quarter for which the allotment is valid and need not show the month number as originally prescribed. For example, if a consumer receives an allotment bearing the number W–2–3Q43 and places an authorized controlled material order calling for delivery in August, 1943, the order shall bear the number W–2–3Q43. An authorized controlled material order placed under paragraph (l) of this regulation, relating to small orders, should be endorsed in the way described in paragraph (l) (6) of this regulation.

(4) A delivery order for controlled material must be in sufficient detail to permit entry on mill schedules and must be received by the controlled materials producer at such time in advance as is specified in Schedule III attached, or at such later time as the controlled materials producer may find it practicable to accept the same, provided that no controlled materials producer shall discriminate between customers in rejecting or accepting late orders.

(5) [Deleted October 4, 1943. Obsolete.]

(6) [Deleted Sept. 17, 1943.]

(7) No person shall place an authorized controlled material order unless the amount of controlled material ordered is within the related allotment received by him, after deducting all allotments made by him and all orders for the controlled material placed by him pursuant to the same allotment, or unless he is expressly authorized to place such an order by any applicable regulation or order of the War Production Board.

RESTRICTIONS ON PLACING AUTHORIZED CONTROLLED MATERIAL ORDERS

(s–1) In no event shall a consumer request delivery of any controlled material in a greater amount or on an earlier date than required to fill his authorized production schedule, or in an amount so large or on a date so early that receipt of such amount on the requested date would result in his having an inventory of controlled materials in excess of the limitations prescribed by CMP Regulation No. 2 or by any other applicable regulation or order of the War Production Board. No consumer shall, however, be required by the provisions of this paragraph (s–1) to reduce a delivery order below the minimum mill quantity specified in Schedule IV. This paragraph (s–1) does not change the restrictions of CMP Regulation No. 2 relating to the acceptance of delivery of controlled material.

CONTROLLED MATERIALS PRODUCERS

(t) This paragraph deals with the obligations of controlled materials producers under the Controlled Materials Plan.

*Production Directives*

(1) Each controlled materials producer shall comply with such production directives as may be issued from time to time by the War Production Board.

*Acceptance and Rejection of Orders*

(2) A controlled materials producer shall accept authorized controlled material orders in the order in which received by him except:

(i) He may reject orders for less than the minimum mill quantities specified in Schedule IV attached, but shall not discriminate between customers in rejecting or accepting such orders.

(ii) In any case where he is of the opinion that the filling of the order would substantially reduce his over-all production owing to the large or small size of the order, unusual specifications, or otherwise, he shall apply to the appropriate Controlled Materials Division. The War Production Board may direct that the order be placed with another supplier or take other appropriate action.

(iii) He shall refuse any order for shipment of any product in any month if such order, together with all his authorized controlled material orders already on hand for delivery during that month and any orders carried over from the preceding month, plus such amounts as he may be directed by the War Production Board to deliver or set aside for delivery to warehouses or nonintegrated mills or otherwise, total 110% of the production of such product specified in his production directive, or, if no production directive is currently in effect with respect to such product, total 105% of his expected production. As soon as such limits of 110% and 105% respectively have been reached, each controlled materials producer shall promptly notify the appropriate Controlled Materials Division in writing, unless he has received contrary instructions from the War Production Board. However, if he has accepted authorized controlled material orders identified by a CMP allotment symbol whose initial letter is Z, he must remove the "Z" order from his schedule if later authorized controlled material orders or orders specifically authorized by the War Production Board are received, to the extent required by Direction 54.

(iv) He shall reject orders to the extent required by specific direction of the War Production Board.

(3) A controlled materials producer must reject any new order for any controlled material unless he is permitted to fill it under this paragraph. A controlled materials producer shall not deliver any controlled material except to fill:

(i) An authorized controlled material order;

NOTE: Paragraph (t) (3) (ii) relating to sample orders revoked April 11, 1944. Persons desiring controlled materials for testing and experimental purposes may obtain them under the provisions of Order P-43.

(iii) An order which he is authorized or required to fill by any written direction of the War Production Board.

(iv) An order for steel which a distributor would be authorized to fill under paragraph (d) (4) of CMP Regulation No. 4, when the order is filled only from mill stock and the producer customarily sells steel from his own stock.

If a controlled materials producer takes controlled materials which he has produced and processes them into a form other than a controlled materials form, such processing shall be considered a delivery for the purposes of this paragraph (t). In addition, if a controlled materials producer takes aluminum produced by him and processes it into certain other forms of controlled material as provided in Direction 8 under this regulation, delivery for such processing (or such processing if there is actually no delivery) shall also be considered a delivery for the purposes of this paragraph (t).

*Time for Delivery—Postponed Deliveries*

(4) A controlled materials producer shall make delivery on each authorized controlled material order as close to the requested delivery date as is practicable in view of the need for maximum production and compliance with production schedules. He may make delivery during the 15 days prior to the requested delivery month, but not before then, provided such delivery does not interfere with delivery on authorized controlled material orders calling for shipment in such preceding month, or earlier months and provided production to meet such delivery would not violate any production directive. Special rules regarding the postponement of delivery on authorized controlled material orders identified by a CMP allotment symbol whose initial letter is "Z" are explained in Direction 54. If a producer, after accepting an order within the limits of paragraph (t) (2) (iii) finds that, due to contingencies which he could not reasonably have foreseen, he is obliged to postpone the delivery date, he must promptly advise his customer of the approximate date when delivery can be scheduled, and keep his customer advised of any changes in that date. Delivery of any such carry-over order for steel or copper must be scheduled and made in preference to any order for similar material originally scheduled for a later month. The time of production and delivery of any such carry-over order for aluminum is covered in Direction No. 23 to this regulation. When the new date for delivery on a carry-over order falls within a later quarter than that indicated on the original order, the producer must make delivery on the basis of the original order even if that order shows that the allotment was valid for a quarter earlier than the one in which delivery is actually to be made. When directed by the War Production Board, a controlled materials producer must promptly notify the appropriate Controlled Materials Division of all carry-over orders on his books, giving allotment numbers, names of customers and material covered by the carry-over orders.

*Tentative Acceptance of Authorized Controlled Material Orders*

(5) If a producer is unable to accept an order for the month requested because of the restrictions of paragraph (t) (2) (iii), but has open space available in either of the two following months, the producer must accept and schedule the order for delivery as early as possible in either of the two following months and must promptly notify the customer of the proposed delivery date and tell him that the order has been accepted subject to written confirmation within seven days. If the customer does not have written confirmation of the new delivery date in the producer's hands within seven days after the date on which the notice of tentative acceptance was sent, the producer must cancel the order. If the new delivery date falls within a later quarter than that shown on the original authorized controlled material order the confirmation has no effect unless it is accompanied by the customer's certification that he has an allotment valid for the new quarter, in which case the customer must charge the order against that allotment. The confirmation and certification may be by letter or telegram. If made by letter, the letter must be signed by a person authorized to sign the form of certification required on authorized controlled material orders and if made by telegram a copy must be signed by such a person and held in the customer's file.

*Directions by the War Production Board*

(6) All directions to controlled materials producers affecting production and distribution of controlled materials shall be issued by the War Production Board.

*Commercial Tolerances*

(7) If the controlled material delivered pursuant to an authorized controlled material order varies from the exact amount specified in the authorized controlled material order, the making and acceptance of such delivery shall not be deemed a violation of this regulation or any other CMP Regulation by the controlled materials producer or his customer, provided such variation does not exceed the commercially recognized shipping tolerance, or allowance for excess or shortage.

*Authorized Controlled Material Order Is Not an Allotment*

(8) An authorized controlled material order shall not constitute an allotment of controlled material to the controlled materials producer with whom it is placed. If a controlled materials producer requires delivery of controlled materials from other controlled materials producers, to be processed by him and sold to his customers in another form or shape constituting a controlled material, such delivery may be made or accepted only pursuant to a specific direction as provided in subparagraph (3) (iii) of this paragraph (t) or pursuant to allotment as provided in CMP Regulation No. 8. Specific instructions will inform a controlled materials producer whether to apply for a direction by letter or for an allotment pursuant to CMP Regulation No. 8.

RESTRICTIONS ON USE OF ALLOTMENTS AND MATERIALS

(u) This paragraph explains the restrictions on the use of allotments and controlled materials or Class A products obtained with an allotment.

*Use of Allotments*

(1) A consumer must not use an allotment to buy any controlled materials or Class A products except (i) what he needs to fill the authorized production schedule for which the allotment was made or (ii) what he needs to fill any of his other authorized production schedules, within the same plant or operating unit, which bear the same Claimant Agency letter symbol, or (iii) to replace in inventory controlled materials or Class A products used to fill any of such authorized production schedules. The symbols W and O are considered the same Claimant Agency letter symbol for purposes of this paragraph. However, each of the other letter symbols are considered separate Claimant Agency letter symbols. In no case may a consumer use an allotment for any purpose which would interfere with filling the schedule for which the allotment was made. Where an allotment made for one schedule is used in filling another schedule in the same plant or operating unit and identified by the same Claimant Agency letter symbol, no charge need be made against the allotment account of the second schedule, but an appropriate record must be made, on the allotment accounts or otherwise, describing the circumstances.

*Return of Allotments*

(2) If a consumer's needs for a controlled material or Class A product are reduced before he has ordered or received delivery of them and he does not need to use his allotment for another one of his authorized production schedules bearing the same Claimant Agency letter symbol, or for inventory replacement, as permitted in subparagraph (1) above, he must immediately return the allotment as explained in paragraph (w). If he has already placed authorized controlled material orders or made allotments on the basis of his allotment at the time he learns of the reduction in his needs, he must cancel them. If it is too late to cancel the orders, he may receive delivery of the controlled materials and Class A products, in which case his use of them is covered by subparagraph (3) below.

*Use of Materials and Products Obtained With Allotments*

(3) If a consumer has received physical delivery of controlled materials or Class A products pursuant to an allot-

ment, he may use them for the same purposes for which he is permitted to use the allotment as provided in subparagraph (1) above. Also, if it develops, after he has actually received delivery, or when it is too late to prevent delivery, that he does not need them for a purpose permitted under subparagraph (1) above he may (i) sell them under Priorities Regulation No. 13, relating to sales of idle or excess stocks, or under WPB Directive 16, relating to aircraft inventory transfers, or (ii) use them on any of his other authorized production schedules having an unused allotment big enough to cover the amount of materials involved. If he uses the materials on another authorized production schedule he must, unless the second schedule is filled in the same plant or operating unit and is identified by the same Claimant Agency letter symbol, charge the quantity transferred from the first schedule against the allotment account of the second schedule and an appropriate record must be made, on the allotment accounts or otherwise, describing the circumstances, or (iii) he may use them to fill an authorized production schedule identified by the CMP allotment symbol Z–1 without charge to his allotment account for such schedule.

*Specific Instructions*

(4) If, before using or selling controlled materials or Class A products in a way permitted by this paragraph (u), the consumer receives directions from the War Production Board as to disposition or use of the same, he must comply with such directions. Also, he must comply with any directions he receives from a Claimant Agency with respect to his use of controlled materials or Class A products which he got by use of an allotment from that Claimant Agency, in any program of the same Claimant Agency, or with respect to their sale to any other person for use in a program of the same Claimant Agency, subject always to whatever rights he may have to reimbursement.

*Common Inventories*

(5) A consumer need not segregate inventories of controlled materials or Class A products which he gets by use of his allotments, even though different allotment numbers are used in ordering them, nor does he have to earmark them for a particular schedule. Although a consumer must charge the appropriate allotment account when placing an authorized controlled material order or making an allotment, he may keep all controlled materials and Class A products received in a common inventory and in withdrawing from inventory he does not have to charge the withdrawal against the allotment account. A consumer who is operating under several authorized production schedules need not maintain separate records of the production obtained from the allotment received for each schedule if the records which he normally keeps show that his use of material for his respective schedules is substantially proportionate to the amounts of material allotted for each and that his aggregate production of any product does not exceed the aggregate of the production schedules authorized for that product.

ADJUSTMENTS FOR PURCHASES UNDER PRIORITIES REGULATION 13

(v) A consumer must charge his allotment account with the amount of materials acquired under Priorities Regulation 13 unless that regulation says he does not have to do so.

WHAT TO DO IF REQUIREMENTS CHANGE

(w) This paragraph explains what to do if requirements increase or decrease.

*Supplementary Applications*

(1) If a consumer's requirements for controlled materials or Class A products needed to fill a schedule are increased after he receives his allotment, he may apply for an additional allotment to the person who made the allotment for that schedule.

*Periodic Check-up on Allotments and Return of Excess*

(2) As explained in paragraph (e), if a consumer finds that he has been allotted substantially more than he needs, he must return the excess. As of the first of each month, each consumer must check up on his anticipated requirements for the quarter and determine whether he has been allotted substantially more than he anticipates he needs. If he has, he must return the excess by the tenth of the month. He need not take a physical inventory for this purpose, but must merely check up on the effect of known changes in his requirements or errors which he has discovered in his statement of requirements. As of the end of each quarter, he must determine whether he has used his entire allotment by placing authorized controlled material orders or making allotments to his secondary consumers and, if he has any excess, however small, he must return it by the tenth day after the close of the quarter.

*To Whom Returns Made—Form CMP–32*

(3) The return of an unneeded allotment must be made to the person from whom the allotment was received. The return of unused allotment balances to be made within ten days after the end of the quarter must be made to the Claimant Agency or Industry Division originating the allotment. Form CMP–32, available at all War Production Board offices, should be used for this purpose, but if it is impractical to get this form, the return may be made by letter. Attention is called to Direction No. 26 to CMP Regulation No. 1, which explains when allotments may be returned by a secondary consumer directly to a Claimant Agency or Industry Division rather than to the person making the allotment. The Direction also gives the addresses to which returns to Claimant Agencies or the War Production Board should be sent.

OTHER WAR PRODUCTION BOARD REGULATIONS AND ORDERS

(x) Nothing in this regulation (or any other CMP regulation) shall be construed to relieve any person from complying with any applicable priorities regulation or any order of the War Production Board (including orders in the "E", "L," "M" and "P" series). In case compliance by any person with the provisions of any such regulation or order would prevent fulfillment of an authorized production schedule, he should immediately report the matter to the appropriate Industry Division, and to the Claimant Agency whose schedule is affected. The War Production Board will thereupon take such action as is deemed appropriate, but unless and until otherwise expressly authorized or directed by the War Production Board, such person shall comply with the provisions of such regulation or order.

RECORDS AND REPORTS

(y) (1) Each consumer making or receiving any allotment of controlled materials shall maintain at his regular place of business accurate records of all allotments received, of procurement pursuant to all allotments, and of the subdivision of all allotments among his direct secondary consumers. Such records shall be kept separately by CMP allotment symbols, as provided in paragraph (c) (6) (ii) of this regulation, and shall include separate entries under each number for each customer, Claimant Agency or Industry Division from whom allotments are received under such number.

(2) Each controlled materials producer shall report to the appropriate Controlled Materials Division, on the forms and for the periods prescribed, such information on production, consumption and distribution of controlled materials as may be prescribed by the War Production Board.

(3) Each prime or secondary consumer and each controlled materials producer shall retain for two years at his regular place of business all documents on which he relies as entitling him to make or receive an allotment or to deliver or accept delivery of controlled materials or Class A products, segregated and available for inspection by representatives of the War Production Board, or Claimant Agencies, or filed in such manner that they can be readily segregated and made available for such inspection.

APPEALS AND APPLICATIONS FOR RELIEF

(z) (1) Any person who is subject to any requirement of any regulation, direction, order or other action under the Controlled Materials Plan, may appeal for relief by filing a letter in triplicate with the appropriate authority specified below in this paragraph (z), setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief.

(2) Except as provided in subparagraphs (3) and (4) of this paragraph (z) or as otherwise specifically directed, an appeal by a producer of Class A products should be filed with the appropriate Claimant Agency, and an appeal by a producer of Class B products should be filed with the appropriate Industry Division, unless the matter affects only production schedules of a single Claim-

ant Agency or where a single Claimant Agency has been stipulated for the purpose by all Claimant Agencies whose schedules are affected, in which case the appeal should be filed with such Claimant Agency.

(3) An appeal concerning the operations of a controlled materials producer (whether filed by such producer, by a consumer, or by a Claimant Agency) should be filed with the appropriate Controlled Materials Division.

(4) A producer of Class B products may apply for permission to be treated as a producer of Class A products. A producer of Class A products making a large variety of items which are sold to many customers and whose allotments originate from several Claimant Agencies, may make application to be treated as a producer of Class B products, but such permission will not be granted with reference to component parts or sub-assemblies, unless the necessary adjustments in bills of materials which include such component parts or sub-assemblies can be made without difficulty. Application for reclassification should be filed with the CMP Division, War Production Board, Washington, D. C., and may be filed either directly by the producer or by a Claimant Agency on his behalf.

(5) In case of any disagreement between any persons as to the interpretation of any provisions of this regulation or any other regulation, direction, or order under the Controlled Materials Plan, the matter should be referred to the CMP Division, War Production Board, Washington 25, D. C.

PENALTIES

(aa) Any person who willfully purports to make any allotment of controlled materials or to place authorized controlled material orders in excess of the amount allotted to him, or violates any other provision of this regulation, or any other regulation, direction or order under the Controlled Materials Plan, or who knowingly or willfully makes any false or fraudulent statement or representation with respect to requirements for controlled materials or in any other matter under the jurisdiction of any agency of the United States under the Controlled Materials Plan, is guilty of a crime and, upon conviction, may be punished by a fine up to $10,000 or by imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries or allotments of controlled material or from making or obtaining any further deliveries of or from processing or using, any material under priorities control, and may be deprived of priorities assistance.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

No. 191——3

SCHEDULE

STEEL

*Carbon steel* (including wrought iron)

| CMP Code No. | Materials | Code also includes | Code does not include |
|---|---|---|---|
| 2001 | Bars, cold finished | | |
| 2005 | Bars, hot rolled or forged | Concrete reinforcing bars and rolled fence posts. Angles, channels, T's and Z's under 3" maximum. | Bars forged by a nonproducer, except when sold by a distributor. After March 31, 1944, tool steel, irrespective of grinding, when cut to length and heat-treated for use as tool bits. |
| 2011 | Ingots, billets, blooms, slabs, die blocks, tube rounds, sheet and tin bar, and skelp. | | |
| 2016 | Pipe, including threaded couplings of the type normally supplied on threaded pipe by pipe mills. | Galvanized. Line, oil country goods and water well tubular products. Bedstead tubing. | |
| 2021 | Plates | | |
| 2026 | Rail and track accessories | Rail, rail joints, track spikes, tie plates, and track bolts. | Gage rods, mine ties, clip bolts, rail clips and nut locks. Frogs, crossings, switches, switch stands, rail anchors, rail braces, guard rails and guard rail clamps. |
| 2031 | Sheet and strip | Hot and cold rolled (includes coated products and copper clad including hoops. | Steel roofing sheets coated with bitumen, asphalt or asbestos. |
| 2036 | Steel castings | Cast steel magnets (whether magnetized or unmagnetized). | |
| 2041 | Structural shapes and piling | Steel sheet piling and bearing piles. | |
| 2046 | Tin plate, terne plate and tin mill black plate. | When coated or lithographed by a steel producer. | When coated or lithographed by other than a steel producer. |
| 2051 | Tubing | Mechanical, pressure, and brazed. | |
| 2056 | Wheels, tires and axles | | Resilient wheels. (After December 31, 1943, resilient wheels will be handled as a Class B product.) |
| 2061 | Wire rods, wire and wire products. | Drawn wire, barbed and twisted wire, woven wire fence fabric, wire nails, cut nails, lead-headed nails, horse shoe nails, foundry nails, wire rope, welded steel wire reinforcing mesh; fence post fasteners; wire bale ties; wire netting; coated wire (when coated by producers). | Wire tacks, wire shoe nails, cut nails made from tack plate; wire rope when fabricated into slings (including splicing loops and endless splicing) or when attachments are made (including slings with fittings such as sockets, rings, shackles, thimbles, etc.). Welded wire reforcing mesh with waterproof paper back. Coated and uncoated welding rods and welding wire. Gates. Chain link fence fabric and chain link fence, completely fabricated. Boat spikes, dock spikes and wharf spikes. |

*Alloy Steel* (including stainless)

(See note at foot of Alloy Steel List)

| | | | |
|---|---|---|---|
| 2501 | Bars, cold finished | | |
| 2505 | Bars, hot rolled | | |
| 2511 | Ingots, billets, blooms slabs, die blocks, tube rounds, sheet bar. | | |
| 2516 | Pipe and couplings for threaded pipe. | | |
| 2521 | Plates, all plates (including rolled armored plate in the form and shape to which it is rolled by the steel mill and prior to any subsequent fabrication) and including nickel clad and stainless clad. | | |
| 2526 | Track accessories | | |
| 2531 | Sheet and strip | Stainless clad | |
| 2536 | Steel castings | | |
| 2541 | Structural shapes | | |
| 2551 | Tubing | | |
| 2556 | Wheels, tires and axles | | |
| 2561 | Wire rods, wire, and wire products. | | |

NOTE: Alloy Steel Codes also include and exclude the items shown under the headings "Code Also Includes" and "Code Does Not Include" shown opposite comparable Carbon Steel Codes.

COPPER AND COPPER-BASE ALLOY PRODUCTS

Brass Mill Products (Copper-Base Alloy)

*Alloy Sheet, Strip and Plate*

| | | | |
|---|---|---|---|
| 3011 | Alloy sheet, strip and plate | Strip equivalent of ammunition cups and discs. | |

*Alloy Rods, Bars and Wire, Including Extruded Shapes*

| | | | |
|---|---|---|---|
| 3021 | Alloy rods, bars and wire | Extruded shapes and rod equivalent of ammunition slugs. | |

SCHEDULE I—Continued

COPPER AND COPPER-BASE ALLOY PRODUCTS—continued

*Alloy Seamless Tube and Pipe*

| CMP Code No. | Materials | Code also includes | Code does not include |
|---|---|---|---|
| 3041 | Alloy seamless tube and pipe | Tube equivalent of rotating bands | Wrought seam tube. |

*Brass Mill Products (Unalloyed Copper)*

| | | | |
|---|---|---|---|
| 3051 | Plate, sheet and strip | | Wire bars and ingot bars, rod and wire for electrical conduction. |
| 3061 | Rods, bars and wire | Extruded shapes | |
| 3071 | Tube and pipe | Tube equivalent of rotating bands | |

*Wire Mill Products (Copper and Copper-base Alloy)*

| | | | |
|---|---|---|---|
| 3101 | Wire and cable | Bare, insulated, armored and copper-clad steel. | |

*Foundry Products (Copper and Copper-base Alloy)*

| | | | |
|---|---|---|---|
| 3201 | Castings (before machining) | | Machined castings, pressed metal shapes (an unclassified product). |

ALUMINUM PRODUCTS

*Rod, Bar, Wire and Cable*

| | | | |
|---|---|---|---|
| 4021 | Rod and bar ⅜"–¾" | | |
| 4031 | Rod and bar over ¾"–1⅝" | | |
| 4041 | Rod and bar over 1⅝"–3" | | |
| 4051 | Rod and bar over 3" | | |
| 4121 | Wire (under ⅜") | | |
| 4151 | Cable (electrical transmission only). | | |

*Rivets*

| | | | |
|---|---|---|---|
| 4122 | Rivets | | |

*Forgings, pressings, and impact extrusions*

| | | | |
|---|---|---|---|
| 4171 | Forgings and pressings (before machining). | | |
| 4701 | Impact extrusions | | Hooker tubing and collapsible Tubes. |

*Castings before machining*

| | | | |
|---|---|---|---|
| 4202 | Cylinder head for air-cooled engines. | | Cylinder head castings for air-cooled engines. |
| 4203 | Other heat-treated sand | | |
| 4204 | Non-heat-treated sand | | |
| 4205 | Heat-treated permanent mold | | |
| 4206 | Non-heat-treated permanent mold. | | |
| 4207 | Cold-Chamber Die | | |
| 4208 | Gooseneck Die | | |
| 4209 | Other than listed above, such as centrifugal, plaster, etc. | | |

SCHEDULE I—Continued

ALUMINUM PRODUCTS—continued

*Shapes, Rolled or Extruded*

| CMP Code No. | Materials | Code also includes | Code does not include |
|---|---|---|---|
| 4251 | Rolled structural shapes (angles, channels, zees, tees, etc.) | | |
| 4301 | Extruded Shapes, 2S, 3S, 53S and 61S Alloys. | | |
| 4311 | Extruded Shapes, all alloys other than 2S, 3S, 53S and 61S. | | |

*Sheet, Strip, Plate and Foil*

| | | | |
|---|---|---|---|
| 4351 | Sheet, strip and plate, 2S and 3S alloys. | | |
| 4361 | Sheet, strip and plate, all alloys other than 2S and 3S. | | |
| 4371 | Slugs | | |
| 4601 | Foil | | |

*Tubing*

| | | | |
|---|---|---|---|
| 4401 | Tubing, 2S and 3S alloys | | |
| 4411 | Tubing, all alloys other than 2S and 3S. | | |

*Tube Blooms*

| | | | |
|---|---|---|---|
| 4421 | Tube Blooms, 2S and 3S alloys | | |
| 4431 | Tube Blooms, all alloys other than 2S and 3S. | | |

*Ingot and Powder*

| | | | |
|---|---|---|---|
| 4501 | Powder (including atomized, granular, flake, paste, and pigment). | | |
| 4801 | Ingot, pig, billets, slabs, etc | | |

NOTE: Steel, copper and copper base alloys, and aluminum, in any of the above forms and shapes constitute controlled materials, but allotments of steel, copper and copper base alloy products are made in the terms shown in italics without further breakdown. Allotments of aluminum are made in terms of "aluminum" without further breakdown.

SCHEDULE II—SHORT FORM OF ALLOTMENT

| Allotment number | Controlled Material Products allotted | | |
|---|---|---|---|
| | | | |

Above allotments are made for use in filling this delivery order in compliance with CMP Regulation No. 1.

INSTRUCTIONS FOR USE OF SHORT FORM OF ALLOTMENT—FORM CMP–5

The above short form of allotment may be used by any consumer for the purpose of making an allotment to a secondary consumer producing Class A products for him. The short form of allotment must be either placed on or physically attached to the delivery order calling for delivery of the Class A products. If it is attached the delivery order number or other identification must be indicated on the form.

The form must be followed by the signature of an authorized official of the consumer making the allotment, but need not be separately signed if it is placed on the delivery order in such a position that the signature of the delivery order by such an authorized official clearly applies to the allotment as well as to the order itself.

The size of the form may be varied, but all information called for by the form must be supplied and the general arrangement and wording of the form must be followed.

Under the heading "Controlled Material Products Allotted" the person making the allotment must designate the forms which

are allotted. These must be shown in the breakdown prescribed in Schedule I of CMP Regulation No. 1, and must be within the allotments received by such consumer for the same forms. Additional columns may be added depending on the number of forms of controlled material allotted. A sample form follows:

| Allotment number | Controlled Material Products allotted | | | |
|---|---|---|---|---|
| | Carbon steel | Copper base alloy seamless tube and pipe | Copper sheets and strip | Aluminum castings |
| | *Tons* | *Lbs.* | *Lbs.* | *Lbs.* |
| N-1-3Q43 | 100 | 10,000 | 8,000 | 100 |

Above allotments are made for use in filling this delivery order in compliance with CMP Regulation No. 1.

SCHEDULE III—TIME FOR PLACING AUTHORIZED CONTROLLED MATERIAL ORDERS

STEEL—CARBON AND ALLOY (INCLUDING STAINLESS)

| *Product* | *Number of days in advance of first day of month in which shipment is required* |
|---|---|
| Tool steel: | |
| Hot rolled product | 60 |
| Cold finished products | 90 |
| Cold finished bars: | |
| Standard sizes, grades and sections | 70 |
| Furnace treated at hot mills or special sections, odd sizes or special grades | 100 |
| Plates and shapes: | |
| Plates | 30 |
| Shapes | 30 |
| Pipe (carbon) | 30 |
| Sheet and strip: | |
| Sheet—hot rolled—16-gauge and heavier | 30 |
| Sheet—hot rolled—17-gauge and lighter | 45 |
| Sheet—cold rolled—galvanized—long terne | 45 |
| Sheet (alloy)—hot and cold rolled of special long-processed specification | 60 |
| Strip (low carbon) hot rolled | 30 |
| Strip (low carbon) cold rolled | 45 |
| Strip (alloy) hot and cold rolled (including electrical grade) | 60 |
| High carbon cold rolled strip (over .25 carbon) and other long processed special carbon hot rolled and cold rolled sheets and hot and cold rolled strip (including electrical grade) | 60 |
| Hot rolled bars and semi-finished: | |
| Except for bars heat treated and annealed | 30 |
| Bars heat treated and annealed | 60 |
| Tin mill products (carbon) | 30 |
| Tubing: | |
| Seamless tubing (carbon): | |
| Hot rolled | 60 |
| Cold drawn: | |
| 1½" O. D. and larger | 75 |
| Under 1½" O. D | 105 |
| Seamless tubing (alloy, exclusive of airframe and engine tubing): | |
| Hot rolled | 90 |
| Cold drawn: | |
| 1½" O. D. and larger | 110 |
| Under 1½" O. D | 120 |
| Airframe and engine tubing | 120 |
| Welded tubing (carbon): | |
| Mechanical: | |
| Hot rolled | 60 |
| Cold rolled | 70 |

SCHEDULE III—TIME FOR PLACING AUTHORIZED CONTROLLED MATERIAL ORDERS—Continued

STEEL—CARBON AND ALLOY (INCLUDING STAINLESS)—continued

| *Product* | *Number of days in advance of first day of month in which shipment is required* |
|---|---|
| Tubing—Continued. | |
| Welded tubing (carbon)—Continued. | |
| Annealed: | |
| Hot rolled | 70 |
| Cold rolled | 80 |
| Drawn or swaged | 85 |
| Boiler tubes | 60 |
| Condenser and heat exchanger: | |
| 1" O. D. and under | 75 |
| Over 1" O. D | 60 |
| Welded tubing (alloy, including aircraft) | 90 |
| Steel castings (provided patterns are available): [1] | |
| Weight per casting: | |
| 500 pounds and under | 45 |
| Over 500 pounds to 5,000 pounds | 60 |
| Over 5,000 pounds to 30,000 pounds | 75 |
| Over 30,000 pounds | 90 |
| Wire and wire products (carbon): | |
| Hot rolled wire rods | 30 |
| Merchant trade products | 30 |
| Manufacturing wires: | |
| Low carbon .0475" and heavier | 45 |
| Low carbon under .0475" | 60 |
| High carbon (0.40 carbon and higher): | |
| .0475" and heavier | 45 |
| Under .0475" to .021" | 60 |
| Under .021" | 75 |
| Wire rope and strand: | |
| 5/8" diameter and over | 75 |
| 9/16" diameter and under | 105 |
| Welded wire-reinforcing fabric | 45 |

COPPER

| | |
|---|---|
| Brass mill copper and copper base alloy products: | |
| Copper and non-refractory alloys | 45 |
| Refractory alloys | 60 |
| Wire and cable products: | |
| Bare wire and cable | 35 |
| Weatherproof wire and cable | 35 |
| Magnet wire | 35 |
| Rubber insulated building wire | 35 |
| Paper and lead cable | 40 |
| Varnished cambric cable | 35 |
| Asbestos cable (type H-F) | 60 |
| Rubber insulated wire and cable (mold or lead cured) | 45 |
| Foundry copper and copper base alloy products: | |
| Castings (rough castings, not machined—assuming patterns are available): | |
| Small simple castings to fit 12" by 16" flask | 7 |
| Large intricate and centrifugal castings | 14 |

ALUMINUM

| | |
|---|---|
| All forms and shapes | 45 |

Where no time is specified in Schedule III for placing orders for a particular form or shape of controlled material, the time for placing such orders shall be subject to agreement between the consumer and the controlled materials producer: *Provided*, That no producer shall discriminate between consumers in the acceptance of orders. In the event of any disagreement, the matter should be referred to the appropriate Controlled Materials Division.

[1] Patterns are to be considered "available" only after they have been received at the foundry, checked, rigged for production, and sample castings have been approved.

SCHEDULE IV—MINIMUM MILL QUANTITIES

STEEL

| *Product* | *Minimum mill quantity for each size and grade of any item for shipment at any one time to any one destination* |
|---|---|
| Alloy steel (other than stainless): | |
| Standard grades and sections: | |
| Rounds, squares 3" and under | 5 net tons. |
| Hexagon and flats—all sizes | 5 net tons. |
| Stainless steel: | |
| Standard grades and sections | Product of one ingot. |
| Tool steel | 500 pounds. |
| Castings as established by each foundry, but in no case in excess of | 5 net tons. |
| Cold finished bars | 3 net tons. |
| Hot rolled carbon bars and semi-finished: | |
| Round bars up to 3" incl., and squares, hexagons, half rounds, ovals, half ovals, etc., of approximate equivalent sectional area | 5 net tons. |
| Round bars over 3" to 8" (including squares within this range) | 15 net tons. |
| Flat bars, all sizes | 5 net tons. |
| Bar size shapes (angles, tees, channels and zees under 3") | 5 net tons. |
| Forging billets, blooms and slabs | Product of one ingot. |
| Rerolling billets, slabs, sheet | 25 gross tons. |
| Plates: | |
| Plates and shapes: | |
| Continuous strip mill production | 10 net tons. |
| Sheared mill, universal mill or bar mill production | 3 net tons. |
| Structural shapes | 5 net tons. |
| Pipes | [1] |
| Sheet and strip: | |
| Sheets—hot and cold rolled | 5 net tons. |
| Strip—hot and cold rolled | 3 net tons. |
| Tin mill products (one gauge) | 5,000 pounds. |
| Track accessories: | |
| Track spikes, track bolts | 5 net tons. |
| Tubing: | |
| Seamless tubing | |
| Carbon steel | |
| Cold drawn | |
| O. D. (inches) | |
| Up to ¾" inclusive | 1000 feet |
| Over ¾" to 1½" inclusive | 800 feet |
| Over 1½" to 3" inclusive | 600 feet |
| Over 3" to 6" inclusive | 400 feet |
| Over 6" | 250 feet |
| Alloy steel | |
| Aircraft tubing | |
| O. D. (inches) | |
| Up to ¾" inclusive | 1000 feet |
| Over ¾" to 1½" inclusive | 800 feet |
| Over 1½" to 3" inclusive | 600 feet |
| Over 3" | 250 feet |
| Welded tubing | |
| Carbon steel, all sizes | 3 net tons |
| Alloy steel, all sizes | 5 net tons |
| Stainless steel, all sizes | 3 net tons |
| Wire and wire products: | |
| Hot rolled wire rods | 5 net tons. |
| Merchant trade products (Assorted Merchant Products) | 5 net tons. |

[1] Published carload minimum (mixed sizes and grades).

SCHEDULE IV—MINIMUM MILL QUANTITIES—Continued

STEEL—continued

| *Product* | *Minimum mill quantity for each size and grade of any item for shipment at any one time to any one destination* |
|---|---|
| Wire and wire products—Cont. | |
| Manufacturing wires (wires for further fabrication): | |
| Low carbon | 1 net ton. |
| High carbon (0.40 carbon and higher) .0475" and heavier | 1 net ton. |
| Under .0475" to .021" | 1,000 pounds. |
| Under .021" | 500 pounds. |
| Wire rope and strand | 1,000 ft. lengths. |
| Welded wire reinforcing fabric | [2] |

COPPER

| | |
|---|---|
| Brass mill products | 200 pounds. |
| Wire mill products | 300 pounds. |

ALUMINUM

| | |
|---|---|
| Sheet and strip | 500 pounds. |
| Tubing | 250 pounds. |
| Extrusions other than extruded shapes (Extruded shapes are covered by Direction 33 to this regulation) | 200 pounds. |
| Wire, rod and bar | 200 pounds. |
| Rivets | 50 pounds. |

[2] Full rolls of manufacturer's standard stock sizes.

LIST OF INTERPRETATIONS 1 THROUGH 25 TO CMP REGULATION NO. 1

1. Discrimination.
2. Prohibition Against Duplicating Orders.
3. Controlled Materials for Use in Metal Guns, Wire Stitchers, etc.
4. "Same Class A Product" as Used in Paragraph (1) (2)—Deleted October 4, 1943.
5. Conversion of Orders not Retroactive—Deleted October 4, 1943.
6. Allotments not Required in Ordering Class A Products in Certain Cases—Deleted February 2, 1944.
7. Class A Repair Parts.
8. Period During Which Allotment Valid—Revised February 2, 1944.
9. Allotments for Minimum Production Quantities.
10. Substitution of Allotment Numbers—Revised January 10, 1944.
11. Use of Allotments to Replenish Inventory.
12. Reduction of Quantity Ordered Does Not Constitute Placing of New Order—Revoked January 10, 1944—See Interpretation 10.
13. Allotment Procedure Determines Classification of Product in Certain Cases.
14. Use of Quarterly Identification.
15. Conflict in Production Schedules of Class A Civilian Type End Products.
16. Furnishing Materials to Subcontractors.
17. Copper Flake Powder—Deleted February 2, 1944.
18. Analysis of Orders by Claimant Agency Symbols—Section A of Form CMP-4B.
19. Proper Allotment Number Must be Used in Identifying Orders.
20. Procuring Claimant Agencies.
21. Temporary Loans.
22. Rejection of Orders.
23. Definition of Steel.
24. Records of Exporters.
25. Allotment Symbols that do not Require Quarterly Identification.

INTERPRETATION 1—DISCRIMINATION

Questions have arisen as to what constitutes discrimination between customers within the meaning of paragraphs (s) (4) and (t) (2) (i) of CMP Regulation No. 1. These provisions prohibit producers of controlled materials from discriminating between customers in rejecting or accepting orders which are filed later than the prescribed time or which call for deliveries of less than the minimum mill quantities. These provisions mean that, in similar situations, different customers must receive similar treatment. A controlled materials producer who has rejected a late order or small order from one customer, is not prohibited from accepting such an order from another customer if the difference in treatment of the two orders is based in good faith on differences in the practicability of filling the orders in view of the nature of the material ordered, the condition of the production schedule at the time the orders are received, or similar factors. (Issued March 8, 1943.)

INTERPRETATION 2—PROHIBITION AGAINST DUPLICATING ORDERS

The question has been raised as to whether a consumer may place authorized controlled material orders or make allotments exceeding in the aggregate the total amount of his allotment if he intends to cancel the excess before delivery.

Under CMP Regulation No. 1 a consumer is prohibited from duplicating authorized controlled material orders or allotments even though he intends to cancel or reduce his delivery orders to the allotted amount prior to delivery. (Issued March 22, 1943.)

INTERPRETATION 3—CONTROLLED MATERIALS FOR USE IN METAL GUNS, WIRE STITCHERS, ETC.

A manufacturer of equipment who also sells controlled materials merely for use in the operation of such equipment may include such controlled materials in his application for allotment as manufacturer of the equipment, but such requirements must be separately indicated. For example, a manufacturer of a metal gun or a wire stitcher who sells rod or wire for use with his product (whether he makes such sales with the product or separately) may include his requirements for such rod or wire in his application for controlled materials needed to manufacture the gun or stitcher, but he should indicate separately on his application or in an attached note the amount of controlled material required for such purposes as distinct from the manufacture of the gun or stitcher. (Issued April 5, 1943.)

INTERPRETATION 4—"SAME CLASS A PRODUCT" AS USED IN PARAGRAPH (1) (2)

NOTE: Deleted October 4, 1943. Now covered by (1) (2).

INTERPRETATION 5 AS AMENDED—CONVERSION OF ORDERS NOT RETROACTIVE

NOTE: Deleted Oct. 4, 1943. See Interpretation 22—Rejection of Orders.

INTERPRETATION 6 AS AMENDED—ALLOTMENTS NOT REQUIRED IN ORDERING CLASS A PRODUCTS IN CERTAIN CASES

NOTE: Deleted Feb. 2, 1944. Obsolete.

INTERPRETATION 7—CLASS A REPAIR PARTS

(a) A manufacturer of Class A products who sells them for use as maintenance, repair or operating supplies is required to obtain an allotment for their manufacture from the appropriate Industry Division pursuant to application on Form CMP-4B, except where they are directly purchased and programmed by a Claimant Agency—(paragraphs (d) (6) and (k-1) (2) of CMP Regulation No. 1). Such items, with the exception noted, are handled exactly as though they were Class B products. A manufacturer is therefore prohibited by paragraph (g) (3) of CMP Regulation No. 1 from accepting an allotment from his customer, and his customer is prohibited by the same paragraph from making an allotment, for their manufacture. A variation from this rule is indicated in paragraph (b) of this interpretation.

(b) In some cases manufacturers buy class A parts such as springs, screw machine parts and stampings, for incorporation in their products and also resell some of the parts as repair parts. In such cases, if it is impracticable for the manufacturer of the part to segregate those sold for resale as repair parts from those sold for production, he should secure an allotment from his customer covering his requirements for the manufacture of both. For example, a manufacturer of electric motors (a Class B product) purchases screw machine parts (a Class A product) from another manufacturer. He uses some of the screw machine parts for building motors and resells others as repair parts. He normally orders the screw machine parts without distinction as between those which he needs for production or for resale. The motor manufacturer should make an allotment to the manufacturer of the screw machine parts to cover all the parts purchased from him. (Issued May 20, 1943.)

INTERPRETATION 8

PERIOD DURING WHICH ALLOTMENT VALID (REVISED)

(a) An allotment of controlled materials under the Controlled Materials Plan is only valid for the quarter (or other specifically designated period) for which it is made as indicated in the allotment certificate. An allotment which is valid for one quarter cannot be used for placing authorized controlled material orders calling for delivery in any other quarter.

(b) A consumer in placing an order for a controlled material must specify the month in which delivery is requested and the requested delivery month must be within the quarter for which the allotment is valid. Controlled materials producers are required to make delivery as close to the requested delivery date as is practicable and are prohibited from accepting authorized controlled material orders in excess of a specified percentage of their production directive or expected production as provided in paragraph (t) (2) (iii) of CMF Regulation No. 1.

(c) If a controlled materials producer is unable to accept an authorized controlled material order for delivery during the delivery month specified, and delivery is required in that month, the consumer may appeal, either directly or through his Claimant Agency or Industry Division, to the appropriate Controlled Materials Division for relief.

(d) The rules governing postponed deliveries of steel or copper are set out in paragraph (t) (4) of the regulation and those governing postponed deliveries of aluminum are covered in Direction No. 23 to the regulation. Rules governing the tentative acceptance of authorized controlled material orders are set out in paragraph (t) (3) of the regulation. The rules on these subjects as stated in paragraphs (c), (e) and (f) of the interpretation before this revision are obsolete. [Issued Feb. 2, 1944.]

INTERPRETATION 9—ALLOTMENTS FOR MINIMUM PRODUCTION QUANTITIES

(a) Paragraph (o) (2) (iii) of CMP Regulation No. 1 permits a manufacturer to exceed his authorized production schedule "where a delivery order calls for delivery, in successive months, of Class A products in quantities which are less than the minimum practicable production quantity, and compliance with monthly production schedules would result in substantial interruption of production and consequent interference with production to fill other delivery orders." In such a case the manufacturer may "produce (and his customer may order) in the first month, the minimum practicable quantity

which may be made without such interference."

(b) A manufacturer is entitled to apply for (and his customer is entitled to make) an allotment during a single quarter of the quantity of controlled materials required to produce a minimum practicable production quantity even though the customer's requirements for the finished product may run over several quarters.

In illustration of the above, a customer's requirements of screw machine parts for the third and fourth quarters of 1943 constitutes a minimum practicable production quantity. The manufacturer of the screw machine parts may apply for an allotment for the third quarter of 1943 of all of the controlled materials required to produce the parts. The customer should include the quantity in his application for an allotment and if an allotment is made to him, he should make a third quarter allotment to the screw machine manufacturer for the entire quantity, and should charge the total quantity so allotted to his third quarter allotment account. (Issued June 11, 1943.)

INTERPRETATION 10—CHANGES MADE BY CUSTOMERS IN ORDERS PLACED WITH PRODUCERS

(a) This interpretation deals with the procedure to be followed when a customer, having placed an authorized controlled material order with a producer, wishes to make changes in that order.

(b) The general rule is that any change in a customer's order constitutes a cancellation of the earlier order and must be considered as a new order received on the date of the change, if (but only if) the change necessitates alteration of the producers' production schedule to a point which would interfere with production. For example:

(1) The mere substitution of one allotment number for another which does not require alteration of the producer's schedule is not considered to constitute the placing of a new order. The customer must, of course, have an allotment identified by the substituted allotment number to support the change.

(2) A change in shipping destination does not constitute the placing of a new order.

(3) An increase in the total amount ordered constitutes the placing of a new order to the extent of the increase.

(4) An advancement or deferment of delivery, when made by the customer, will constitute entry of a new order.

(5) A reduction in the total amount ordered will presumably not require a change in the producer's schedule and will not constitute a new order. Of course, if the quantity is reduced below a minimum mill quantity, the producer may reject the order and remove it from his schedule, as provided in paragraph (t) (2) (i) of CMP Regulation No. 1, though he must not discriminate between customers in so doing.

(6) When the customer directs the producer to hold or suspend production on an order, without specifying a new delivery date, the order will not be considered as on a producer's books for the purpose of determining his obligation to accept other orders. When the customer instructs the producer to reinstate a suspended order, it shall be considered a new order as of the date of such instruction.

(7) Where minor variations in size, shape, gauge, etc., are requested by the customer and can be arranged by the producer without interfering with his production, such changes do not constitute a new order.

(c) In the case of changes which constitute a new order under this interpretation, the acceptance or rejection of the new order and its place on the producer's schedule shall be governed by conditions existing at the time the changes are received.

(d) This interpretation, as amended, supersedes Interpretation 12 of CMP Regulation No. 1 and CMPL letter 414, which are hereby revoked. (Issued Jan. 10, 1944.)

INTERPRETATION 11—USE OF ALLOTMENTS TO REPLENISH INVENTORY

(a) An allotment may be used to replace in inventory controlled materials used to manufacture the product for which the allotment was made. This is specifically covered in paragraph (u) (1) (iii) of CMP Regulation No. 1 [§ 3175.1]. It is not necessary for a manufacturer to delay production until he receives delivery of controlled materials ordered on the basis of the allotment.

(b) A manufacturer of Class A products need not accept an order unless he receives an allotment of enough controlled materials for its manufacture even though he has enough in inventory to fill the order. However, if his inventory is excessive (more than a practicable working minimum or the limit specified in CMP Regulation No. 2) he must fill the order out of the excess. This follows from the fact that he must take inventories into account in applying for an allotment. (However, see Direction 27—Right To Specify Allotment Quarter).

(c) It is not necessary that the quarter for which an allotment is made and the quarter in which delivery of the Class A product is to be made be the same. The allotment may be for an earlier or a later quarter depending on when the manufacturer needs the allotment.

In illustration of the above, the X Company receives an order on July 1, 1943, calling for delivery of 100 transmission assemblies on September 1, 1943. Ten tons of carbon steel and two tons of alloy steel are required to fill the order. The X Company has a sufficient quantity of steel on hand to fill the order but it is, nevertheless, entitled to an allotment of ten tons of carbon steel and two tons of alloy steel from its customer, assuming its inventory is not more than a practicable working minimum or the limit specified in CMP Regulation No. 2. The X Company may fill the order from stock on hand and obtain a fourth quarter allotment which it may use to replenish its inventory. If, in the above case, the X Company did not have controlled materials on hand to fill the order it would not be able to accept the order for delivery on September 1, 1943. If the date for delivery of the Class A products were changed to February 1, 1944, the allotment quarter would precede the quarter in which delivery of the product would be made. (Issued July 14, 1943.)

INTERPRETATION 12—REDUCTION OF QUANTITY ORDERED DOES NOT CONSTITUTE PLACING OF NEW ORDER

NOTE: Deleted Jan. 10, 1944. See Interp. 10.

INTERPRETATION 13—ALLOTMENT PROCEDURE DETERMINES CLASSIFICATION OF PRODUCT IN CERTAIN CASES

(a) When the B product allotment procedure is followed in making allotments for the manufacture of a Class A product, all of the provisions of CMP regulations governing B products apply. A good example of this is Class A repair parts which are handled on the B product basis. Under paragraph (p) of CMP–1 (§ 3175.1), an order for a Class A product, once accepted, cannot be displaced by an order received at a later time even though the later order bears a higher preference rating. However, if the product is a Class A repair part which is handled on a Class B basis, this provision does not apply. Paragraph (g) (3) provides that no consumer may make an allotment for the production of Class B products. In the case of a Class A repair part which is handled on a Class B basis, this provision does apply.

(b) On the other hand, when the A product allotment procedure is followed for making allotments for the manufacture of a Class B product, all of the provisions of CMP regulations governing A products apply. In such a case, the provision of paragraph (p) mentioned above does apply, and the provision of paragraph (g) (3) does not apply. (Issued Aug. 16, 1943.)

INTERPRETATION 14—USE OF QUARTERLY IDENTIFICATION

(a) It is not necessary to show the quarterly identification in rating orders for B components or other production materials, other than controlled materials. For example, "Preference rating AA–1, Allotment number W–1" is sufficient. Where an A product is ordered requiring an allotment, the quarterly identification must, of course, be shown.

(b) The quarterly identification, showing the quarter for which an allotment is valid, must be shown on all authorized controlled material orders, except as described in paragraph (c) below, and on all allotments, immediately following the abbreviated allotment number—for example, W–1–3Q43. The abbreviated allotment number is the same thing as the major program number, that is, the Claimant Agency symbol followed by the first digit of the program number. In the case of an allotment to a prime consumer designated W–1234–567, the abbreviated allotment number is W–1. The quarterly identification is not a part of the allotment number.

(c) It is not necessary to show any quarterly identification on orders for controlled materials where they are being bought under a blanket symbol (such as the MRO symbol assigned by CMP Regulation No. 5) where the use of the symbol is not limited to any particular quarter. This is also true in the case of orders bearing the SO symbol. (Issued Aug. 23, 1943.)

INTERPRETATION 15—CONFLICT IN PRODUCTION SCHEDULES OF CLASS A CIVILIAN TYPE END PRODUCTS

(a) Paragraph (q) of CMP Regulation No. 1 provides that where a manufacturer discovers a conflict between accepted production schedules received from different persons, he should report the matter to the appropriate Industry Division (or Claimant Agency under certain circumstances) for instructions.

(b) Under the provisions of this paragraph, a manufacturer of a Class A Civilian Type End Product who has received allotments and an authorized production schedule from various Claimant Agencies and from an Industry Division of the War Production Board, and who discovers, because of labor shortage, lack of capacity, delays in delivery of material, or other causes, that he is unable to meet all authorized production schedules, should report the details of this conflict to the appropriate Industry Division so it can furnish directions. (Issued Aug. 28, 1943.)

INTERPRETATION 16—FURNISHING MATERIALS TO SUBCONTRACTORS

(a) Instead of making an allotment of controlled material to a manufacturer of Class A products, a manufacturer operating under the Controlled Materials Plan may use any of the following alternatives with the consent of his supplier:

(1) He may sell the material to his supplier from his own inventory.

(2) He may furnish the material to his supplier on toll or processing agreement, retaining title in himself.

(3) He may place an authorized controlled material order for delivery to himself and trans-ship the material to his supplier, either by sale or under toll or processing agreement.

(4) He may place an authorized controlled material order for delivery direct to the supplier.

(b) In each of the above cases, the customer does not make any allotment, and the supplier does not have to keep any allotment records. The supplier must, however, keep sufficiently accurate records to show that he is using the material for the purpose for which it was received. The customer furnishing the material includes it in his own requirements in the same way as if he were

going to allot it, and he may not furnish it to his supplier except under conditions where he could make an allotment under CMP Regulation No. 1.

(c) The making of allotments by customers to suppliers of Class B products is forbidden by paragraph (g) of CMP Regulation 1, since these allotments are made directly to the Class B producers by the War Production Board and duplicating allotments would make inaccurate the Board's figures as to requirements and supply. For the same reason, a customer may not furnish any controlled material to the producer of a Class B products in any of the ways mentioned in paragraph (a) above without getting special permission from the War Production Board. (Issued Sept. 11, 1943.)

INTERPRETATION 17—COPPER FLAKE POWDER

NOTE: Deleted Feb. 2, 1944. Obsolete.

INTERPRETATION 18—ANALYSIS OF ORDERS BY CLAIMANT AGENCY SYMBOLS—SECTION A OF FORM CMP-4B

(a) A person applying for an allotment on Form CMP-4B is required to show in Section A of the form an analysis of his orders or shipments by Claimant Agency symbols. The applicant must analyze his orders on the basis of the Claimant Agency symbols appearing on his customers' orders. Where no Claimant Agency symbol appears on a customer's order, the order must be reported under "unidentified".

(b) An applicant must not, in any case, attempt to trace the ultimate end-use of his product for the purpose of filling out Section A of Form CMP-4B. For example, if he receives an order with a preference rating bearing the symbol "B-1", he should report this under the symbol "B" even if he knows that that particular order is for a component of a product that eventually will be sold to the Navy. Or, if he receives an order with a preference rating but no Claimant Agency symbol, he should report this under "unidentified", even if he knows that that particular order is for a component of a product that eventually will be sold to the Navy.

(c) A person who receives a rated order must accept and fill it in accordance with Priorities Regulation No. 1 whether it is identified by a Claimant Agency symbol or not. He does not have the right to assume that his customer is required to show a symbol on his order since in many cases it is not necessary to show a Claimant Agency symbol in applying or extending a rating. There is no reason, however, why a person should not inform his customers of the provisions of paragraph (f) of CMP Regulation No. 3 (see Interpretation No. 3 to CMP Regulation No. 3) and paragraph (z) of CMP Regulation No. 6 which require the compulsory use of Claimant Agency symbols for purposes of identification on certain rated orders. (Issued Sept. 14, 1943.)

INTERPRETATION 19—PROPER ALLOTMENT NUMBER MUST BE USED IN IDENTIFYING ORDERS

(a) A manufacturer of a Class B product, in ordering production materials (whether controlled materials, Class A or B products, or other materials and products) needed to make the Class B product, must not use the allotment number appearing on orders placed with him by his customers. This is true because a person may use only the allotment number which appears on the allotment made to him with his authorized production schedule. Thus a manufacturer of a Class B product, such as electric motor controls, receives an allotment of controlled material and a preference rating from the War Production Board which, in the case of electric motor controls, will be identified by the allotment number J-3. When he orders the production material he needs to make electric motor controls, he will use the symbol J-3 on his orders. Orders for electric motor controls from his customers will bear such allotment symbols as B-4, W-3, G-6, U-1, etc. The electric motor control manufacturer may not use these symbols on his own orders for production materials for the manufacture of electric motor controls.

(b) On the other hand, a manufacturer of a Class A product receives his allotments from his customers and therefore uses the allotment numbers appearing on his customers' orders when he orders materials needed to make the Class A product. Thus, a manufacturer of a Class A product who receives an order from a customer and an allotment identified by the allotment number O-5 will use the allotment number O-5 in placing his orders for production materials needed to fill the order.

(c) An allotment number or symbol alone never constitutes an allotment of controlled materials. In making an allotment a consumer must specify the controlled material and the exact quantity allotted. Attention is called to the fact that under paragraph (f) of CMP Regulation No. 1, allotments of controlled material must be made only in the form and shape in which they are allotted to the consumer. (Issued Oct. 8, 1943.)

INTERPRETATION 20—PROCURING CLAIMANT AGENCIES

(a) The "procuring" Claimant Agencies under the Controlled Materials Plan are:

(1) War Department (including Ordnance).
(2) Navy Department.
(3) Maritime Commission.
(4) Aircraft Resources Control Office.
(5) Foreign Economic Administration.

(b) The other Claimant Agencies are sometimes referred to as "non-procuring" Claimant Agencies. (Issued Oct. 26, 1943.)

INTERPRETATION 21—TEMPORARY LOANS

(a) Paragraph (u) of CMP Regulation No. 1 (§ 3175.1), which places restrictions on the use of controlled materials and Class A products obtained pursuant to an allotment, does not forbid a short term "loan" of controlled materials or Class A products to another manufacturer for his use in filling an authorized production schedule. Whenever a loan is made, the consumer must make certain that the material loaned will be returned to him when he needs it. A loan for more than three months would generally be considered equivalent to a transfer of the materials and therefore unauthorized except as provided in paragraph (u). A consumer must never make such a loan when lending the material would prevent fulfillment of the consumer's authorized production schedule.

(b) A consumer borrowing controlled materials or Class A products does not have to reduce his allotment account under paragraph (v) of the regulation, relating to adjustments on account of controlled materials or Class A products obtained without use of allotments, since the loan is made on a temporary basis and he must be in a position to use his allotment to return, in kind, the material borrowed.

(c) Full records of the loan transaction must be kept by both persons lending and persons borrowing. (Issued Nov. 3, 1943.)

INTERPRETATION 22—REJECTION OF ORDERS

(a) Paragraph (t) (3) of CMP Regulation No. 1 [§ 3175.1] requires a controlled materials producer to reject any order other than an authorized controlled material order, a sample order or an order which he is required or authorized to fill by the War Production Board. This provision does not require a producer to refuse to receive a piece of paper on which an order is written. It does require the producer to refuse to fill an order or schedule it unless it is an order which he is specifically authorized to fill. The order must be specifically rejected and the producer may either return the paper on which the order is written or file it, as he sees fit. In any case he must let his customer know that he cannot schedule the order and that his customer should not expect delivery against it.

(b) Customers who place with a producer orders which the latter is prohibited from filling cause an unnecessary increase in the volume of paper work. It is therefore suggested that purchasers should refrain from placing unauthorized orders, even if they intend to validate the orders later.

(c) While the placing of a delivery order before an allotment is received is discouraged, it is recognized that in certain cases customers will find it necessary to place orders before they have received their allotments. This may happen, for example, in the case of long-term contracts extending beyond the period for which advance allotments have been made. In such a case, a delivery order may be converted into an authorized controlled material order either by furnishing a copy of the order conforming to the requirements of paragraph (s) of the regulation or by furnishing, in writing, the requisite information clearly identifying the order and bearing the certification required by subparagraph (3) of paragraph (s). Such an order must be treated as an authorized controlled material order as of the date on which the necessary information and certificate (including the allotment number) are received by the producer. (Issued Nov. 10, 1943.)

INTERPRETATION 23

*Definition of steel.* The word "steel" as used in CMP regulations has the same meaning as "steel" as defined in Order M-21, as amended from time to time, except that it includes only those forms and shapes listed in Schedule I of CMP Regulation No. 1. [Issued Aug. 4, 1944.]

INTERPRETATION 24

RECORDS OF EXPORTERS

Paragraph (y) (3) of CMP Regulation No. 1 requires each prime consumer to retain for two years all documents on which he relies as entitling him to make or receive an allotment or to deliver or accept delivery of controlled materials or Class A products. The Foreign Economic Administration and its predecessors, the Board of Economic Warfare and the Office of Economic Warfare, have since the institution of the Controlled Materials Plan made allotments of controlled materials to exporters for export by endorsing appropriate legends upon export licenses. The original of every export license, however, is required by other Government regulations to be surrendered to export officials at the time of shipment. Consequently, persons who receive their assignments and preference ratings on export licenses are not in a position to retain the original of the export license, and thus are not required to do so by paragraph (y) (3) except only in those cases where other Government regulations do not require the surrender to the Government of the documents referred to. [Issued April 18, 1944.]

INTERPRETATION 25

ALLOTMENT SYMBOLS THAT DO NOT REQUIRE QUARTERLY IDENTIFICATION

Paragraph (s) of CMP Regulation No. 1 explains that in placing an authorized controlled material order the quarterly identification (which is explained in paragraph (c) (6) (i)), must be added. In certain cases, where allotments are not made, a consumer is entitled to place an authorized controlled material order without using the quarterly identification. However, in such a case, the order must still bear the requested delivery date. A list of the symbols which can be used to place an authorized controlled material order without the quarterly identification, the purpose for which such symbols are used, and the related order follows:

| Symbol | Use | Order |
|---|---|---|
| SO | Small order procedure | CMP Regulation 1. |
| P-1 | Petroleum industry—production | P-98-b. |
| F-5[1] | Petroleum industry—special production | P-98-b. |
| MRO | Maintenance, repair and operating supplies | CMP Regulations 5 and 5A. |
| MRO-P-3 | do | P-98-b. |
| MRO-P-47 | Petroleum Industry MRO (Serial number) Maintenance, repair and operating supplies—civilian aircraft. | P-47. |
| MRO-P-98-e | Maintenance, repair and operating supplies—petroleum industry consumer accounts. | P-98-e. |
| MRO-P-133 | Maintenance, repair and operating supplies—electronic equipment. | P-133. |
| MRO-P-136 | Maintenance, repair and operating supplies—scrap yards (serialized). | P-136. |
| MRO-P-141 | Maintenance, repair and operating supplies—public sanitary sewer facilities. | P-141. |
| S-1 | Industrial repairmen | CMP Regulation 9A. |
| S-2 | Extension of public sanitary sewer facilities | P-141. |
| S-8 | Iron and steel producers | P-68. |
| T-7 | (Serial number) Transportation systems | P-142. |
| V-9 | Laboratories | P-43. |
| S-4 | For steel only for rural water well drillers | P-148. |
| U-9 | Utilities—under orders | U-1, U-3, U-4. |
| V-3 | Retailers and repair shops | CMP Regulations 9 and 9A. |
| F-6 | Construction and facilities | CMP Regulation 6, Direction 1. |
| W-6 | Construction and facilities—Army | CMP Regulation 6, Direction 3 (CMPL-593). |
| N-O | Construction and facilities—Navy | CMP Regulation 6, Direction 3 (CMPL-593). |
| H - (Program No.) | Construction and facilities—housing | P-55-c (WPB-2896). |
| U-2[2] | Construction and facilities—utilities | CMP Regulation 6, Direction 4 (WPB-2774). |
| WH | Orders placed by warehouses | M-21-b-1 and M-21-b-2. |
| PX | Steel producers exchange | CMP Regulation 1, Direction 6. |
| AM | Purchase of aluminum ingot and powder | Direction 49 to CMP Regulation 1 and M-1-g. |
| E-2 | MRO purchased for foreign countries | Direction 53 to CMP Regulation 1. |
| E-4 | Discarded, offgrade, idle, and excess steel purchases | |

[1] In some cases a quarterly limitation is placed on the operator who places the order. However, a controlled material supplier does not need to require a quarterly designation on any order bearing the symbol F-5.

[2] In some cases the WPB-2774 authorization gives specific quantities for specific quarters. A controlled materials supplier does not need to require a quarterly designation on any order bearing the symbol U-2.

(Issued September 13, 1944.)

LIST OF DIRECTIONS 1 THROUGH 56 TO CMP REGULATION NO. 1

1. Pursuant to paragraph (t) (6)—Steel Producers—Obsolete.
2. Pursuant to paragraph (t) (6)—Aluminum Producers—Obsolete.
3. Pursuant to paragraph (t)—Copper Wire and Cable Producers—Obsolete.
4. O-1, O-4 and N-4 Orders on Brass Mills.
5. Heat Treated and Normalized Carbon and Alloy Steel Bars for Commercial Warehouse Orders—Obsolete.
6. Rules Governing Certain Deliveries of Steel Between Producers and Others.
7. Pursuant to paragraph (t) (6)—Aluminum Producers—Obsolete.
8. Intra-Company Deliveries of Aluminum.
9. Brass Mill and Wire Mill Direction.
10. Rolled and Forged Armor Plate.
11. Delayed Delivery on April Orders—Obsolete.
12. Water Well Drillers—Revoked January 4, 1944.
13. Complete Bills of Material—Revoked October 9, 1943.
14. Rerating Not Compulsory—Obsolete.
15. Mill Stocks of Steel.
16. Replacement of Defective Controlled Material.
17. Brass Mill Direction—Obsolete.
18. Acceptance of Orders for Steel—Revoked.
19. Tin Plate, Short Ternes and Tin Mill Black Plate for Can Manufacturers.
20. BEW and Lend-Lease Orders.
21. Farmers Copper Wire Allotment Certificates.
22. Special Allotments.
23. Acceptance of Orders for Aluminum by Aluminum Producers and the Effect of Delays in Production.
24. Steel Furnished by Fabricators on Construction Projects.
25. Forgings in Controlled Material Form.
26. When Allotments may be Returned by a Secondary Consumer Directly to a Claimant Agency or Industry Division.
27. Right to Specify Allotment Quarter.
28. Controlled Material Lost or Stolen in Transit.
29. OEW and Lend-Lease Orders.
30. Copper Water Tubing—Revoked November 25, 1943.
31. Ammunition Brass Strip, Rod and Tube.
32. Production and Delivery of Less Than Minimum Mill Quantities of Brass Mill Products Ahead of Schedule.
33. Placement and Acceptance of Orders for Small Amounts of Aluminum and Aluminum Alloy Extruded Shapes.
34. Class A Facilities not Related to Construction.
35. Jigs, Dies, Molds, Fixtures and Special Tooling.
36. Cases in Which a Person who has Received an Allotment for the Manufacture of a Class B product may make Allotments or Furnish Controlled Materials to a Manufacturer of the Class B Product.
37. Consolidation of Army Ordnance Programs O-5 and O-6.
38. Galvanized Steel Products in Controlled Material Form.
39. Official Class B Product List.
40. Railroad Frogs and Switches.
41. Allotment Procedure for Manufacturers of Class A Products When Used for Ship Repairs and Bureau of Ships' Special Navy Products, When Used for Ship Repairs.
42. Copper Powder.
43. Elimination of 1943 Orders for Aluminum.
44. Applications by Producers and Distributors for Permission to Sell Rejected or Excess Steel.
45. Scheduling Provisions Applicable to M-293 Products.
46. Change in Program Numbers of the Maritime Commission.
47. Acceptance of Orders for Steel for Delivery from Mill Stock.
48. Purchases or Sales of Controlled Materials through an Intermediary.
49. Acceptance of Orders and Shipment of Aluminum Ingot.
50. Consolidation of Army Programs W-2 and W-4.
51. War Department Small Orders.
52. Application for Permission to Use Excess Materials.
53. Controlled Materials Purchased for MRO in Foreign Countries.
54. Deferred Allotments.
55. Carded Cotton Yarns.
56. Aluminum Allotment Forms.

[F. R. Doc. 44-14658; Filed, Sept. 22, 1944; 11:16 a. m.]

## PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M-21-b-2, Direction 4]

### STEEL PRODUCTS FOR DISASTER RELIEF

This following direction is issued pursuant to General Preference Order M-21-b-2.

(a) *What this direction does.* The purpose of this direction is to set forth the procedure under the Controlled Materials Plan which has been worked out by the War Production Board with the American Red Cross to provide steel products for local relief from disasters, such as floods, tornadoes, etc., which cause considerable damage to property.

(b) *Action to be taken by the War Production Board and the American Red Cross.* The War Production Board each quarter, through the Office of Civilian Requirements, will set aside a tonnage of steel to meet disaster relief requirements. In the event of a disaster, the American Red Cross will estimate the amount of steel products not available locally which are needed to provide relief for the community. The American Red Cross will then apply to the Office of Civilian Requirements of the War Production Board for an allotment of steel sufficient to provide the necessary relief. If the appeal is granted, the War Production Board will issue an allotment to the American Red Cross bearing the CMP symbol V-2 and a quarterly identification. The American Red Cross will then divide its allotment among distributors serving the affected area in proportion to the respective needs of each.

(c) *Action to be taken by a steel distributor.* Each steel distributor receiving a portion of this allotment should immediately place orders for the steel products he needs for disaster relief with producers or other distributors for shipment to his stock bearing the certification authorized by CMP Regulation No. 7 and, in addition, the following:

CMP Allotment No. V-2 (and quarterly identification) For Disaster Relief.

Any steel products ordered pursuant to such an allotment may be ordered by the distributor for shipment to his stock, notwithstanding the requirements of paragraph (c) in each of General Preference Orders M-21-b-1 and M-21-b-2. When the steel for disaster relief has been received by a distributor, it must be sold by him to consumers in accordance with the provisions of CMP Regulation No. 4, or to other distributors as directed by the American Red Cross. The sales of any material which was obtained by a distributor by use of the V-2 allotment, however, may not thereafter be used by him to support a stock replacement order on a producer or another distributor.

(d) *Treatment of a distributor's disaster relief orders by a supplier.* A producer who receives an order for steel products from a distributor certified in the manner outlined in paragraph (c) must accept such an order for the earliest possible delivery by deferring deliveries on distributor's regular stock replacement orders to the extent necessary. Such an order, however, must not delay deliveries on other authorized controlled material orders. A distributor who receives an order for steel products from another distributor certified in the manner outlined in paragraph (c) must accept such an order and fill it immediately from his stock if the material is available, or he must arrange for direct shipment of the order from a producer in the manner prescribed by paragraph (d) of Orders M-21-b-1 or M-21-b-2.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 44-14650; Filed, Sept. 22, 1944; 11:16 a. m.]

## PART 3270—CONTAINERS

[Conservation Order M-81, as Amended Sept. 22, 1944]

### CANS

§ 3270.31 *Conservation Order M-81*—(a) *Prohibitions on purchase, acceptance and use of cans.* No person shall purchase, accept delivery of or use any can for any other purpose than for packing a product listed in a schedule attached to this order.

(b) *Restrictions on purchase, acceptance and use of cans.* No person shall, during any calendar year (or any seasonal year when packing quota is based on a seasonal year in the schedules), purchase, accept delivery of or use for packing any product which is listed in a schedule attached to this order, more cans than his packing quota for that product. However, jobbers or retailers may obtain and sell cans in conformity with the provisions of this order.

(c) *Restrictions on cans for War Shipping Administration.* No person shall sell or deliver any product packed in cans for use on vessels under the direction of the War Shipping Administration unless authorization to acquire the cans has been obtained on Form WPB 646 (formerly PD-300).

(d) *Restrictions on cans made of waste.* Attention is called to the fact that cans made of waste are covered by the provisions of this order. Cans made of waste, as defined in this order, may only be used as follows:

1. For packing any product for which tinplate, terneplate or blackplate is specified as can materials in this order. Usage of such cans by a packer must be charged to his quota for the product.

2. As permitted in paragraph (k) (4) of this order.

3. Pursuant to the grant of an appeal.

(e) *Restrictions on can material and sizes.* No person shall purchase, accept delivery of or use for packing any listed product, cans made of any kind of plate or of any size except those permitted for that product in the schedules of this order. He may, however, use a can larger than the largest permitted size for packing a listed product. Wherever the can size is specified by weight, the weight referred to shall be net weight of the contents of the can.

When tinplate is specified for the manufacture of cans for packing a particular product, the coating indicated represents the maximum weight of tin coating per single base box. The term "0.50 tinplate" or "0.75 tinplate" wherever used in this order includes menders arising in the production of such tinplate which have been hot-dipped with a maximum tin coating of 1.25 pounds per base box, and hot-dipped waste-waste. When SCMT is specified, special coated manufacturers' terneplate is referred to.

(f) *Prohibition against repacking.* No product packed in a can shall be repacked for sale in a can or any other container by the same or different person in the same or different form except to the extent specifically permitted in the schedules attached to this order or pursuant to Order L-103-b.

(g) *Prohibition against packing dried or frozen fruits or vegetables.* No dried or frozen fruits or vegetables shall be packed in a can except to the extent specifically permitted in the schedules attached to this order.

(h) *Restrictions on food packing.* The foods listed in Schedules I and II are limited to those which are intended and suitable for human consumption. Canning of foods for animals and pets is not permitted.

*Restrictions on Manufacture, Sale and Delivery*

(i) *General restriction.* No person shall manufacture, sell or deliver any cans which he knows, or has reason to believe, will be accepted or used in violation of any prohibition or restriction of this order.

(j) *Certificate.* No person shall manufacture, sell or deliver any cans except under a purchase order or contract validated by a delivery to him of a purchaser's certificate, signed manually by the purchaser as provided in Priorities Regulation No. 7. This certificate shall be in substantially the form attached hereto as Exhibit A. This certificate, once filed by a purchaser with a supplier, covers all future deliveries to him from that supplier. No certificate shall be required from a retailer who buys for resale, or from persons purchasing from retailers.

(j-1) (1) *Sales to jobbers.* During any calendar year no manufacturer shall sell or deliver more flaring and straight-sided cans, (measured by area of plate used) made to hold approximately 50 lbs. of lard or shortening, to jobbers than he delivered to jobbers during 1941.

(2) *Sales by jobbers.* No jobber shall knowingly sell or deliver any cans, as defined in this order, to be used as trash cans, garbage cans or for utility purposes.

*Exceptions*

(k) *Exceptions to restrictions on purchase, acceptance or use.* The restrictions imposed by this order shall not apply to the purchase, acceptance of delivery or use of the following cans:

(1) Cans (other than for samples distributed for the purpose of advertising or promoting the sale of a product) for packing any product which is not to be sold in the same or different form. The exception granted by this subparagraph (1) shall not apply to (i) the can size and material restrictions when the cans are purchased by federal or state institutions to be packed for their own consumption and (ii) the can material for lard or shortening cans. Such cans may only be made of blackplate.

(2) [Deleted Sept. 22, 1944.]

(3) Fibre cans with ends made of sheets recovered from used cans. Permission to accept delivery of used cans or sheets recovered from used cans for this purpose must be obtained under Conservation Order M-325.

(4) Fibre cans with ends made of waste or blackplate rejects.

(5) Cans for packing any products not listed in Schedules I or II attached to this order when such cans are to be delivered either (a) packed or empty to the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such Commission or Administration for use thereon), pursuant to a letter of intent approved by or a purchase order or contract negotiated for or with any of these agencies, or (b) to other persons pursuant to authorization by the Maritime Commission under Form WPB 646 (formerly PD-300).

(6) Cans made of aluminum.

(l) *Inventory exceptions*—(1) *Schedules I and II.* The restrictions concerning can materials and sizes contained in paragraph (e) shall not apply to cans made of tinplate which was either in process at the tin mill, in the inventory of the tin mill for the account of the manufacturer, or in the inventory of the can manufacturer, on or before January 3, 1944, for packing products listed in Schedules I or II.

(2) *Schedule III.* The restrictions concerning can materials and sizes contained in paragraph (e) shall not apply to cans made of terneplate or blackplate which was either in process at the tin mill, in the inventory of the tin mill for the account of the manufacturer, or in the inventory of the can manufacturer, on or before January 3, 1944 for packing products listed in Schedule III.

(3) *Change of specifications.* Whenever the size and can material specifications for a product are changed by

amendment, a can manufacturer must continue to manufacture, sell and deliver cans for that product in accordance with the superseded specifications (before making any cans conforming to the new specifications) as long as there is available to him plate made for that product which was in process at the tin mill, in the inventory of the tin mill for his account, or in his inventory, on the date of the change. Packers of that product must accept and use (within quota) such cans for packing that product.

(m) *Small user.* Nothing in this order shall prohibit any person, who, during the calendar year 1942, used cans requiring for their manufacture less than 25 base boxes from purchasing, accepting delivery of, or using during any subsequent calendar year without restriction an aggregate of cans requiring for their manufacture not more than 25 base boxes. However, if he uses the cans to pack a product listed in the schedules of this order, he must conform to the provisions of Paragraph (e) relative to sizes and can material.

*Definitions*

(n) For the purpose of this order:

(1) "Can" means any unused container which is made in whole or in part of tinplate, terneplate, blackplate, or waste, and which is suitable for packing any product. The term includes all pails and drums made from blackplate, 29 gauge or lighter (except stripper drums having a capacity of 30 pounds or greater) and any container closure or fitting made in whole or in part of tinplate, terneplate, blackplate, or waste, but does not include a closure or fitting to be used on or as a part of a glass container or fiber or steel drum (as defined in Orders L–103, M–313 and L–197). The term does not include fluid milk shipping containers as defined in Conservation Order M–200.

(2) "Tin plate" means steel sheets coated with tin (including primes, seconds and hot-dipped waste-waste), and includes (i) electrolytic tinplate in which the tin coating is applied by electrolytic deposition, and (ii) hot-dipped tinplate in which the tin coating is applied by immersion in molten tin. The term does not include waste.

(3) "Terneplate" means steel sheets coated with terne metal (including primes, seconds, and waste-waste). The term does not include waste.

"Terne metal" means the lead-tin alloy used as the coating for terneplate, but does not include lead recovered from secondary sources which contains not more than 2½% residual tin.

(4) "Blackplate" means steel sheets 29-gauge or lighter other than tinplate or terneplate. The term includes "blackplate rejects," "electrolytic waste-waste" and chemically treated blackplate (CTB). The term does not include waste.

(5) "Waste" means scrap tinplate, terneplate and blackplate (including strips and circles) produced in the ordinary course of manufacturing cans, and also tinplate and terneplate strips produced in the ordinary course of manufacturing tinplate and terneplate.

(6) "Pack" unless otherwise specified, means the quantity, by area measurement of tinplate, terneplate, and blackplate required for the manufacture of all sized cans used by a person for packing a particular product during the base period specified.

(7) "Packing quota" unless otherwise specified, means the quantity by area measurement of tinplate, terneplate or blackplate that a person may use for packing a particular product during any calendar year (or any seasonal year when the packing quota is based on a seasonal year in the schedules).

(8) "Seasonal year" means the twelve-month period for packing a particular product beginning in one calendar year and ending in the next.

(9) "Frozen tinplate, terneplate or blackplate" means only tinplate, terneplate or blackplate which, since prior to January 3, 1944, has been held in the inventory of a can manufacturer (or in the inventory of a supplier of such plate having been produced for the account of a can manufacturer) because it had been so processed, or was of such size, gauge or grade, that it was not suitable for the manufacture of cans for which tinplate, terneplate or blackplate are specified.

*Miscellaneous*

(o) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(p) *Appeals.* Appeals from this order shall be filed by addressing a letter to the War Production Board, Containers Division, Washington 25, D. C. Ref: M–81.

The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in undue and excessive hardship, and such other statistical and narrative information as may be pertinent.

(q) *Communications.* All communications concerning this order shall unless otherwise directed, be addressed to: Containers Division, War Production Board, Washington 25, D. C., Ref: M–81.

(r) All can manufacturers shall file a monthly report on Form WPB 2707 in accordance with the instructions in that form. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. All persons affected by this order shall execute and file with the War Production Board such other forms and questionnaires as said Board shall, from time to time, request subject to the approval of the Bureau of the Budget.

(s) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further delivery of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 22 day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

EXHIBIT A

PURCHASER'S CERTIFICATE

One copy of this certificate is to be delivered to each person from whom purchases are made of cans made in whole or in part of tinplate, terneplate, or blackplate. Such certificate shall cover all purchases present and future so long as Conservation Order M–81, in its present form or as it may be amended from time to time, remains in effect.

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order M–81 of the War Production Board, and that all purchases from you of items regulated by that order, and the use of the same by the undersigned, will be in compliance with the order, as amended from time to time.

Date _____

_____
(Legal name of Purchaser)

By _____
(Authorized Official)

_____
(Title of Official)

_____
(Address of Purchaser)

SCHEDULE I—FOOD CANS

The packing quota specified in this Schedule I indicates total packs of the respective products listed, for all purposes including cans required by any order of the War Production Board, the Department of Agriculture, or the Director of Food Distribution, to be set aside for purchase by a Government agency. The designation FDO–22 indicates that cans may be used for packing only the quantity of product required to be set aside by Food Distribution Order No. 22 and orders supplementary thereto, as same may be amended from time to time. Such quantity is sometimes referred to as "set aside quotas".

NOTE: Schedule I amended Sept. 22, 1944.

SCHEDULE I—FOOD CANS—Continued

| Product (1) | Packing quota (2) | Can sizes (3) | Can materials: Body (4) | Can materials: Ends (5) |
|---|---|---|---|---|
| **FRUITS AND FRUIT PRODUCTS** | | | | |
| 1. Apples, including crabapples. Whole apples not to be packed | 100% 1942-43 | 10 | 1.50 tin | 0.50 tin. |
| 2. Apple sauce, including sauce from crabapples | 100% 1942-43 | 2-10 | 1.50 tin | 0.50 tin. |
| 3. Apricots. Whole apricots may be packed only when fully ripe and not less than 10 or more than 18 to the pound. (See note after Item 22). | Unlimited | 2½-10 | 1.50 tin | 1.50 tin. |
| 4. Blackberries, black raspberries, red raspberries, boysenberries, loganberries, youngberries, blueberries, and huckleberries when packed as berries. | Unlimited | 2-2½-10 | 1.50 tin | 1.50 tin. |
| 5. Cherries | Unlimited | 2-2½-10 | 1.50 tin | 1.50 tin. |
| 6. Cherries, RSP—frozen only | 50% of total frozen tonnage packed in all containers in 1942. | ½ of pack in 30 lb. cans; ½ of pack in 50 lb. cans. | 0.50 tin | 0.50 tin. |
| 7. Cranberries, including Cranberry Sauce | 100% 1942 pack by weight | 300 | 1.50 tin | 1.50 tin. |
| 8. Figs—(Kadota) | Unlimited | 2½-10 | 1.50 tin | 0.50 tin. |
| 9. Fruit cocktail—consisting of any combination of fruits listed in this Schedule I and grapes; provided that the combination, by drained weight, shall consist of not less than 50 percent peaches and pears, and may consist of not to exceed 10 percent grapes. Pineapple may be repacked from No. 10 or larger cans, to the extent of 10 percent of the fruit cocktail. | Unlimited | 2½-10 | 1.50 tin | 0.50 tin. |
| 10. Mixed fruits—consisting of any combination of fruits listed in this Schedule I (with or without grapes) provided the combination by drained weight shall consist of not less than 55 percent nor more than 65 percent Diced Peaches, and not less than 35 percent nor more than 45 percent Diced Pears; or a combination of not less than 50 percent nor more than 60 percent Diced Peaches and not less than 30 percent nor more than 40 percent Diced Pears with not less than 6 percent nor more than 10 percent Grapes. Such peaches or pears shall be peeled, pitted, or cored, and diced to a size such that no more than 20 percent of the units will pass through a 5/16" standard sieve, and no more than 20 percent of the units will have a greater edge dimension than ¾", and so as to leave not more than 1 square inch of peel per pound of product on a drained weight basis. Not more than 10 percent of the grapes shall be cracked or crushed or have attached cap stems. No fruit may be packed under this item until the packer has packed and set aside his full quota for that fruit as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto. | Unlimited | 2½-10 | 1.50 tin | 0.50 tin. |
| 11. Grapefruit, segments | WFO-22 | 2 | 1.25 tin | 1.25 tin. |
| 12. Grapefruit juice | 100% 1943-44 | 2-3 cyl-10 | 1.25 tin | 1.25 tin. |
| 13. Orange juice | 100% 1943-44 | 2-3 cyl-10 | 1.25 tin | 1.25 tin. |
| 14. Orange-grapefruit juice blended (50% orange—50% grapefruit) | 100% 1943-44 | 2-3 cyl-10 | 1.25 tin | 1.25 tin. |
| 15. Lemon juice | 50% 1941 | 6 oz.-8 oz. Tall-2-10 | 1.25 tin | 1.25 tin. |
| 16. Olives—ripe and green-ripe | 25% 1941-42 | 10 | 1.50 tin | 1.50 tin. |
| 17. Peaches, halves, slices or cubes (See note after Item 22) | Unlimited | 2½-10 | 1.50 tin | 1.50 tin. |
| 18. Pears, halves, slices, or cubes | Unlimited | 2½-10 | 1.50 tin | 0.50 tin. |
| 19. Pineapple, slices, chunks, crushed or tidbits. Spears not to be packed. (See note after Item 22). | Unlimited | 2-2½-3 cyl-10 | 1.25 tin | 1.25 tin. |
| 20. Pineapple juice | Unlimited | 2-3 cyl-10 | 1.25 tin | 1.25 tin. |
| 21. Plums | Unlimited | 2½-10 | 1.50 tin | 1.50 tin. |
| 22. Prunes, fresh Italian | 100% 1943 | 2½-10 | 1.50 tin | 1.50 tin. |
| NOTE: When required for the packing of other products, pineapple may be repacked from No. 10 cans. Apricots and peaches, solid pie pack, may be repacked from No. 10 cans or larger. No. 10 cans cut under this provision must be properly cleaned and returned to the nearest detinning plant. | | | | |
| **VEGETABLES AND VEGETABLE PRODUCTS** | | | | |
| 23. Asparagus, all-green or culturally bleached | Unlimited | 2-2½-10 | 1.25 tin | 1.25 tin. |
| 24. Beans, green or wax | Unlimited | 2-2½-10 | 1.25 tin | 0.50 tin. |
| 25. Fresh shelled beans (whether referred to as beans or peas), including but not limited to Lima Beans, black-eyed peas or beans, field peas, soy beans. | Unlimited | 2-2½-10 | 0.50 tin | CTB. |
| 26. Beans, with or without pork or tomato sauce (from dried beans) | 50% 1941 pack by weight | 300 | 0.50 tin | CTB. |
| 27. Beets. Whole beets over 1¾" diameter not to be packed | 120% 1942 | 2-2½-10 | 1.25 tin | 1.25 tin. |
| 28. Carrots. Whole carrots not to be packed | 260% 1942 | 2-2½-10 | 1.25 tin | CTB. |
| 29. Corn, fresh, sweet, cut cream style or whole kernel | Unlimited | 2-2 vacuum (307 x 306) for vacuum pack-10. | 0.50 tin | CTB. |
| 30. Peas and carrots—fresh green peas only. Carrots not to exceed 40 percent of total drained weight. Frozen carrots may be used. No vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto. | Unlimited | 2-2½-10 | 1.25 tin | CTB. |
| 31. Succotash—Provided, that no vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto. | Unlimited | 2-2½-10 | 0.50 tin | CTB. |
| 32. Mixtures of vegetables (except succotash, and peas and carrots): 90% of this mixture by drained weight must consist of the following: vegetables listed in this schedule, celery and onions. Provided, that the combination by drained weight shall not contain more than 60% of any one vegetable. Provided further, that no vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order #22 and orders supplementary thereto. | | | | |
| a. Without tomatoes | Unlimited | 2-2 vacuum (307 x 306)-2½-10. | 1.25 tin | CTB. |
| b. With tomatoes | Unlimited | 2-2 vacuum (307 x 306)-2½-10. | 1.25 tin | 0.50 tin. |
| 33. Mushrooms | 50% 1941-42 | 2 oz-4 oz-8 oz | 1.25 tin | 0.50 tin. |
| 34. Okra | 100% 1943 | 2-2½-10 | 1.25 tin | 0.50 tin. |
| 35. Tomatoes and okra | 100% 1943 | 2-2½-10 | 1.25 tin | 1.25 tin. |
| 36. Peas, green | Unlimited | 2-2 vacuum (307 x 306) for vacuum pack-10. | 0.50 tin | CTB. |
| 37. Pumpkin and squash | 100% 1943 | 2½ | 1.25 tin | 0.50 tin. |
| 37a. Sauerkraut | WFO-22 | 2½-10 | 1.50 tin | 1.50 tin. |
| 38. Sweet potatoes—including yams | 150% 1943 | 2½-3 vacuum | 1.25 tin | 0.50 |
| 39. Soups: Limited to the below-listed kinds of seasonal and nonseasonal soups containing, in the case of all soups except mushroom and bean, no less than the specified percentage, by weight, of dry solids from dairy products in any form, poultry or poultry products in any form, fresh, brined, or frozen meats, fish, vegetables, and other products of the kinds listed in Schedules I and II. Mushroom or bean soups shall contain no less than the specified percentage of salt free solids. | | | | |

SCHEDULE I—FOOD CANS—Continued

| Product (1) | Packing quota (2) | Can sizes (3) | Can materials: Body (4) | Can materials: Ends (5) |
|---|---|---|---|---|
| VEGETABLES AND VEGETABLE PRODUCTS—Continued | | | | |
| 39. Soups—Continued. | | | | |
| a. Seasonal soups | Unlimited | 1 picnic | 1.25 tin | 0.50 tin. |
| Kinds and minimum solids: Asparagus, 7% dry solids. Pea, 7% dry solids. Spinach, 7% dry solids. Tomato, 7% dry solids. Mushroom, 18½% salt-free solids. | | | | |
| b. Non-seasonal soups | 100% of total 1942 pack of specified non-seasonal soups. | 1 picnic | 1.25 tin | 0.50 tin. |
| Kinds, minimum solids: Chicken, chicken gumbo, chicken noodle, gumbo creole, consomme, bouillon, chicken broth, 6% dry solids. Clam or fish, 8% dry solids, chowders, turtle. Scotch broth, vegetable, vegetable-vegetarian, pepper pot, oxtail, mock turtle, country style chicken, and corn chowder, 10% dry solids. Beef and vegetable beef, 12% dry solids. Bean (from dried beans), 25% salt-free solids. | | | | |
| 40. Green Leafy vegetables | | | 1.25 tin | 0.50 tin. |
| Spinach | 100% 1942 | 2-2½-10 | | |
| Other green leafy vegetables limited to beet, collard, dandelion, kale, mustard, poke, and turnip greens. | 100% 1942 | 2-2½-10 | | |
| 41. Pimientos and sweet peppers | 50% 1942 | 2½-10 | 1.25 tin | 0.50 tin. |
| 42. Tomatoes | Unlimited | 2-2½-10 | 1.25 tin | 1.25 tin. |
| 43. Tomato Catsup, not less than 25 percent (specific gravity 1.11), by weight of total dry solids. | FDO-22 | 2½-3 cyl-10 | 1.25 tin | 1.25 tin. |
| 44. Tomato juice, containing no other vegetable juices | Unlimited | 2-3 cyl-10 | 1.25 tin | 0.50 tin. |
| 45. Tomato juice, containing not more than 30% of other vegetable juices | Unlimited | 2-3 cyl-10 | 1.25 tin | 1.25 tin. |
| 46. Tomato sauce, including spaghetti sauce, containing not less than 8.7 percent (specific gravity 1.037), by weight of dry tomato solids and not less than 10.0 percent (specific gravity 1.042) by weight of total dry solids, salt free. In addition to salt, the contents may contain pepper, spice oils, and other flavoring ingredients. (See note after item 48). | Unlimited | 2-10 | 1.25 tin | 1.25 tin. |
| | 125% 1942 pack sizes 8Z and 1 picnic. | 8Z | 1.25 tin | 1.25 tin. |
| | | 1 picnic | | |
| 47. Tomato paste from fresh tomatoes, containing not less than 25 percent, by weight of dry tomato solids. (See note after item 48.) | Unlimited | 2½-10-12 | 1.25 tin | 1.25 tin. |
| | | 5 gal. reusable | | |
| | 125% 1942 pack of size 6Z | 6Z | 1.25 tin | 1.25 tin. |
| 48. Tomato pulp or puree, from fresh tomatoes, containing not less than 10.7 percent (specific gravity 1.045) or more than 25 percent, by weight of dry tomato solids. (See note after this item.) | Unlimited | 2-2½-10 | 1.25 tin | 1.25 tin. |
| | | 5 gal. reusable | | |
| | 125% 1942 pack of size 1 picnic. | 1 picnic | 1.25 tin | 1.25 tin. |
| NOTE: Tomato paste, tomato pulp or puree and tomato sauce, may be repacked from No. 10, or from 5 gal. or larger reusable cans when required for packing other products, or for repacking in different form (other than in the form of tomato paste, or tomato pulp or puree) but none may be repacked in the same form. No. 10 cans cut under this provision must be properly cleaned and returned to the nearest detinning plant. | | | | |
| FISH AND SHELLFISH (Processed, and in hermetically sealed cans) | | | | |
| 49. Clams, soft, hard or razor | Unlimited | ½ flat (307 x 200.25) (307 x 201.25) 1 picnic (211 x 400)-1 tall (301 x 411)-2 (307 x 409)-10 (603 x 700). | 0.50 tin | 0.50 tin. |
| 50. Crabmeat | Unlimited | ½ flat (307 x 201.25) | 0.50 tin | 0.50 tin. |
| 51. Fish flakes. Dried fish flakes not to be packed | Unlimited | 300 (300 x 407)-2 (307 x 09) | 0.50 tin | 0.50 tin. |
| 52. Ground fish, containing no filler and packed for human consumption only | Unlimited | 300 (300 x 407) | 0.50 tin | 0.50 tin. |
| 53. Fish livers and fish liver oils | Unlimited | 5 gal. reusable | 1.25 tin | 1.25 tin. |
| 54. Fish roe | Unlimited | 300 (300 x 407) ½ oval (513 x 307 x 103). | 0.50 tin | 0.50 tin. |
| 55. Herring, Atlantic Sea, by whatever name known, including sardines | Unlimited | ¼ drawn (300.5 x 404 x 014.5)-¾ drawn (304 x 508 x 105)-¾ three piece (308 x 412 x 112)-300 (300 x 407). | | |
| Oblong or round cans: | | | | |
| Packed in brine | | | 0.50 tin | 0.50 tin. |
| Packed in oil | | | 0.50 tin | CTB. |
| Packed in mustard or tomato sauce | | | 1.25 tin | 0.50 tin. |
| Oval cans: | | | | |
| Packed in brine | | | 1.25 tin | 1.25 tin. |
| Packed in oil | | | 1.25 tin | 1.25 tin. |
| Packed in mustard or tomato sauce | | | 1.25 tin | 1.25 tin. |
| 56. Herring, Pacific Sea | Unlimited | 1 tall (301 x 411) | | |
| Round cans: | | | | |
| Packed in brine | | | 0.50 tin | 0.50 tin. |
| Packed in oil | | | 0.50 tin | 0.50 tin. |
| Packed in mustard or tomato sauce | | | 1.25 tin | 0.50 tin. |
| 57. Herring, river (alewives) | Unlimited | 300 (300 x 407)-2 (307 x 409) | 0.50 tin | 0.50 tin. |
| 58. Mackerel | Unlimited | 300 (300 x 407) | 0.50 tin | 0.50 tin. |
| 59. Menhaden | Unlimited | 300 (300 x 407) | 0.50 tin | 0.50 tin. |
| 60. Mullet | Unlimited | 300 (300 x 407) | 0.50 tin | 0.50 tin. |
| 61. Mussels | Unlimited | 1 picnic (211 x 400)-2 (307 x 409)-10 (603 x 700). | 0.50 tin | 0.50 tin. |
| 62. Oysters. No. 1 picnic cans shall contain not less than 7½ ounces of oysters by cut-out drained weight; No. 2 cans 14 ounces; and other permitted size cans shall contain a fill correspondingly proportionate to the No. 1 picnic can. | Unlimited | 1 picnic (211 x 400)-1 tall (301 x 411)-2 (307 x 409). | 0.50 tin | 0.50 tin. |
| 63. Pilchards, by whatever name known including sardines | Unlimited | 8Z short (211 x 300)-½ oblong (304 x 508 x 103)-(306 x 510 x 104)-300 (300 x 407)-1 oval (607 x 406 x 108). | | |
| Round cans: | | | | |
| Packed in brine | | | 0.50 tin | 0.50 tin. |
| Packed in oil | | | 0.50 tin | 0.50 tin. |
| Packed in mustard or tomato sauce | | | 1.25 tin | 0.50 tin. |
| Oval cans: | | | | |
| Packed in brine | | | 1.25 tin | 1.25 tin. |
| Packed in oil | | | 1.25 tin | 1.25 tin. |
| Packed in mustard or tomato sauce | | | 1.25 tin | 1.25 tin. |
| Oblong cans: | | | | |
| Packed in brine | | | 1.50 tin | 1.25 tin. |
| Packed in oil | | | 1.50 tin | CTB. |
| Packed in mustard or tomato sauce | | | 1.50 tin | 1.25 tin. |

SCHEDULE I—FOOD CANS—Continued

| Product (1) | Packing quota (2) | Can sizes (3) | Can materials: Body (4) | Can materials: Ends (5) |
|---|---|---|---|---|
| FISH AND SHELLFISH—Continued | | | | |
| 64. Salmon | Unlimited | ½ flat (307 x 200.25) (307 x 201.25)—1 flat (401 x 410.5) (401 x 211) 1 tall (301 x 411). | 1.25 tin | 0.50 tin. |
| 65. Shad | Unlimited | 300 (300 x 407) | 0.50 tin | 0.50 tin. |
| 66. Shrimp | Unlimited | 1 picnic (211 x 400)-5 (502 x 410). | 0.50 tin | 0.50 tin. |
| 67. Squid | Unlimited | 300 (300 x 407) | 0.50 tin | 0.50 tin. |
| 68. Tuna, bonito, and yellowtail | Unlimited | ½ tuna (307 x 113)-1 tuna (401 x 205.5) 4 lb. tuna (603 x 408). | 0.50 tin | 0.50 tin. |
| 69. Turtle | Unlimited | 300 (300 x 407) | 0.50 tin | 0.50 tin. |
| DAIRY PRODUCTS | | | | |
| 70. Condensed milk, as defined by the Federal Security Administrator, Federal Register, July 2, 1940—18.525, page 2444 and 18.530, page 2445, as amended, Federal Register August 8, 1941, pages 3973 and 3974. | 100% 1942 | 14 oz | | |
| Until September 30, 1944 | | | 1.25 tin | 1.25 tin. |
| After September 30, 1944 | | | 0.75 tin | 0.75 tin. |
| 71. Evaporated milk as defined by the Federal Security Administrator, Federal Register, July 2, 1940—18.520, page 2444. | Unlimited | 8 lb | | |
| | 100% 1942 pack of 14½ oz. size. | 14½ oz | | |
| | 95% 1942 pack of 6 oz. size | 6 oz | | |
| Until December 31, 1944 | | | 1.25 tin | 1.25 tin. |
| After December 31, 1944 | | | 0.75 tin | 0.75 tin. |
| 72. Liquid modifications of milk, for human consumption only, including only milk treated or mixed with other edible substances; provided the packer packed the product in substantially the same form in 1942. | 100% 1942 pack size 14½ oz | 14½ oz | | |
| | 95% 1942 pack size 6 oz | 6 oz | | |
| Until December 31, 1944 | | | 1.25 tin | 1.25 tin. |
| After December 31, 1944 | | | 0.75 tin | 0.75 tin. |

## SCHEDULE II—FOOD CANS

NOTE: Schedule II amended Sept. 22, 1944.

Packing quotas specified in this Schedule II indicate permitted packs of the respective products listed for all purposes except for the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such commission or Administration for use thereon), or for any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941 entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act). While restrictions pertaining to can sizes and can materials are applicable to such cans, cans used for packing the respective products listed shall be in addition to the specified quotas, when delivered either (a) pursuant to a letter of intent approved by or a contract or purchase order negotiated with or for, any of the foregoing agencies, or (b) to other persons pursuant to authorization by the Maritime Commission under Form WPB 646 (formerly PD-300). The word "none" indicates that no cans shall be used for packing the applicable product except for the above mentioned agencies. When determining a quota for packing a product listed in this Schedule II, cans packed during the specified base period for the above mentioned agencies shall be excluded.

| Product (1) | Packing quota (2) | Can sizes (3) | Can materials: Body (4) | Can materials: Ends (5) |
|---|---|---|---|---|
| MEAT AND MEAT PRODUCTS | | | | |
| (Processed and in hermetically sealed cans) | | | | |
| 1. Bacon | None | 24 oz | 0.50 tin | CTB. |
| | | 14 lb | 1.25 tin | Btm. 0.50 tin. Top 1.25 tin. |
| 2. Beef, veal, mutton, and pork (including tushonka); corned, roast, or boiled, and containing not less than 85 percent meat by cooked weight. | None | | | |
| Cans with all seams soldered | | Any size | 1.25 tin | 1.25 tin. |
| Cans with only side seams soldered | | Any size | 0.50 tin | CTB. |
| 3. Brains | 125% 1942 | 10½ oz | 0.50 tin | CTB. |
| 4. Meat products as follows: | 125% 1942. | | | |
| a. Meat loaf, containing not less than 90 percent meat, by uncooked weight, and no added water. When packed as a chopped product, meat loaf may contain not more than 10 percent of the following ingredients: cereal, whole milk, eggs, and seasoning. | | 7 oz | 0.50 tin | CTB. |
| b. Meat spreads, including ham, tongue, liver, beef, and sandwich spreads. When packed as a spread, the chopped product shall contain not less than 65 percent meat, by cooked weight, with added cereal or other products. When packed as deviled ham or deviled tongue, the product shall consist of chopped meat without added cereal or other products. | | 3 oz | 0.50 tin | CTB. |
| c. Sausage in casings, containing no cereal or similar substance and not to exceed 10 percent added water, by weight, except pork sausage, which may be prepared with not to exceed 3 percent added water by weight: | | | | |
| Vienna sausage, pork sausage | | 4 oz | 0.50 tin | CTB. |
| Sausage in oil, lard or rendered pork fat | | No. 5 | 0.50 tin | CTB. |
| d. Bulk sausage meat, containing not to exceed 3½ percent cereal and not to exceed 3 percent added water, by weight. | | 24 oz | 0.50 tin | CTB. |
| e. Chopped luncheon meats, consisting of chopped, seasoned meat with not to exceed 3 percent added water, by weight. | | 12 oz | 0.50 tin | CTB. |
| f. Potted meat, consisting of chopped meat or by-products of meat, without added cereal or similar substance, and labeled as a potted or deviled meat product. | | 3¼ oz | 0.50 tin | CTB. |
| 5. Whole Hams | 75% 1941 | Any size | 1.25 tin | 1.25 tin. |
| 6. Corned beef hash, when packed according to Food Distribution Administration standards. | 50% 1941 pack by weight | 300 | 0.50 tin | CTB. |
| 7. Chili Con Carne with or without beans when packed according to Food Distribution Administration standards. | 50% 1941 pack by weight | 300 | 0.50 tin | 0.50 tin. |
| 8. Tongue | 125% 1942 | 6 oz | 0.50 tin | CTB. |
| 9. Turkey, boned, and chicken, boned | 50% 1941 | 12 oz | 0.50 tin | CTB. |

SCHEDULE II—FOOD CANS—Continued

| Product (1) | Packing quota (2) | Can sizes (3) | Can materials: Body (4) | Can materials: Ends (5) |
|---|---|---|---|---|
| MISCELLANEOUS FOODS | | | | |
| 10. Baby foods: | | | | |
| a. Consisting of food products of small particle size or in liquid or semi-liquid form made from the following ingredients: fruits, vegetables, meats, poultry products, dairy products, sugar, salt, or seasoning, yeast or yeast derivatives. Dried prunes may be included and frozen fruits and vegetables may be used. Potatoes and cereal products may be used only in combination with other permitted products, and only provided the combined potato and cereal content does not exceed 12 percent, by weight, of the total product. Pineapple may be repacked from No. 10 or larger cans. | 125% 1943 | 202 BF (202 x 214) | 1.50 tin | 1.50 tin. |
| b. Milk formulas, liquid | 125% 1942 | 14½ oz | | |
| Until September 30, 1944 | | | 1.25 tin | 1.25 tin. |
| After September 30, 1944 | | | 0.75 tin | 0.75 tin. |
| c. Soybean milk, liquid | 125% 1942 | 300 | 1.25 tin | 0.50 tin. |
| d. Milk formulas, dry or powdered | Unlimited | 1 lb | 0.50 tin | CTB. |
| No person shall pack any milk formulas unless he packed the product in substantially the same form in 1942. | | | | |
| 11. Dehydrated vegetables | None | 10 | 0.50 tin | CTB. |
| | | 5 gal | 0.50 tin | 0.50 tin. |
| 12. Grape juice and grape pulp (See note after item 13) | 100% 1942 | 5 gal. reusable | 1.50 tin | 1.50 tin. |
| 13. Citrus pulp and citrus peel (See note after this item) | 150% 1942 | 5 gal. reusable | 1.25 tin | 1.25 tin. |
| NOTE: When required for packing other products, grape juice, grape pulp, citrus peel and pulp may be repacked from reusable cans, 5 gallons or larger. | | | | |
| 14. Honey | Unlimited | 60 lb. reusable | 1.25 tin | 1.25 tin. |
| 15. Goat's milk | 100% 1942 | 14½ oz | 1.25 tin | 1.25 tin. |
| 16. Milk, skimmed, dry or powdered | None | 50 lb | 0.50 tin | 0.50 tin. |
| 17. Milk, whole, dry or powdered | 100% 1942 | 1 lb.-2½ lb., 5 lb | 0.50 tin | CTB. |
| | | 25 lb.-50 lb | 0.50 tin | 0.50 tin. |
| 18. Liquid edible oils, including only animal, vegetable, olive, fish and other marine animal and edible blends of such oils. | 150% 1943 pack of size 5 gal. | 5 gal. reusable | 1.25 tin | 1.25 tin. |
| | 125% 1943 pack of 1 gal. size in cans and glass. | 1 gal | 0.50 tin | 0.50 tin. |
| 19. Citrus concentrates | Unlimited | | | |
| a. Orange | | | | |
| 32° Brix or higher | | 2-10 | 1.25 tin | 1.25 tin. |
| Over 65° Brix | | 6 oz.-2-2½-10 | 1.25 tin | 1.25 tin. |
| b. Grapefruit, lemon 32° Brix and over | | 10 | 1.25 tin | 1.25 tin. |
| c. Blended Orange and Lemon 32° Brix and over | | 10 | 1.25 tin | 1.25 tin. |
| NOTE: Concentrates of 32° brix must contain as a minimum equivalent 2½ volumes of single strength juice; concentrates of 65° brix must contain as a minimum equivalent 5 volumes of single strength juice. | | | | |
| 20. Butter and oleomargarine | None | 10 | 0.50 tin | 0.50 tin. |
| 21. Syrups—cane, maple, molasses, sorghum, and corn syrup, including blends of these syrups. | 150% 1943 pack of No. 10 size or larger in cans and glass. | 10 or 10 lb | 1.25 tin | 1.25 tin. |
| 22. Chocolate Syrup | 100% 1943 pack of No. 10 size or larger in cans and glass. | 10 or 10 lb | 0.50 tin | 0.50 tin. |
| 23. Pectin, liquid only | Unlimited | 5 gal. reusable | 1.50 tin | 1.50 tin. |
| 24. Beer, packed for U. S. Army export or U. S. Navy off-shore use only | None | 12-oz | 0.50 tin | 0.50 tin. |
| 25. Salted Nuts, U. S. Army export or U. S. Navy off-shore use only | None | 8-oz | 0.50 tin | CTB. |
| FISH AND SHELLFISH | | | | |
| (For refrigerated shipment, fresh) | | | | |
| 26. Oysters, fresh-shucked | Unlimited | 1-pint, 1-gal | CTB | CTB. |
| 27. Clams, fresh-shucked | Unlimited | 1-gal | CTB | CTB. |
| 28. Mussels, fresh-shucked | Unlimited | 1-gal | CTB | CTB. |
| 29. Fillets & Steaks, fresh | Unlimited | 20-lb | CTB | CTB. |
| 30. Crabmeat, fresh-cooked | Unlimited | 1-lb | CTB | CTB. |
| 31. Lobster meat, fresh-cooked | Unlimited | 1-lb | CTB | CTB. |
| 32. Shrimp, fresh-cooked | Unlimited | | | |
| Other than Alaska | | 1-gal | CTB | CTB. |
| Alaska only | | 10 | 1.25 tin | 0.50 tin. |

## SCHEDULE III—NON-FOOD CANS

NOTE: Schedule III amended Sept. 22, 1944.

(a) Packing quotas specified in this Schedule III indicate permitted packs of the respective products listed for all purposes except for the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such Commission or Administration for use thereon), or for any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act). Cans used for packing the respective products listed shall be in addition to the specified quotas, when delivered either (1) pursuant to a letter of intent approved by, or a contract or purchase order negotiated with or for any of the foregoing agencies, or (2) to other persons pursuant to authorization by the Maritime Commission under Form WPB 646 (formerly PD-300). When determining a quota for packing a product listed in this Schedule III, cans packed during the specified base period for the above mentioned agencies shall be excluded.

(b) Wherever blackplate is specified for making the body or ends of a can for packing a product listed in this Schedule III, special coated manufacturers' terneplate (SCMT) may be substituted for making any part or fitting of the can which is required to be soldered. Wherever blackplate is specified chemically treated black plate (CTB) may be used. Wherever special coated manufacturers' terneplate (SCMT) is specified, blackplate or chemically treated blackplate (CTB) may be used.

(c) If a person has a packing quota for a product listed in Items 10, 34, 36, 43, 44, 45, 54, 55, or 63 under this schedule, and also has one for the same product in glass containers under Order L-103-b, he shall limit his combined pack of that product in cans and glass containers in accordance with instructions contained in Direction No. 3 of this order.

(d) Fibre bodied cans with metal ends may be substituted for packing any product in this schedule for which all metal cans are permitted, *Provided*, (1) The ends of such cans are made from the type of can material specified in Column 5, and (2) the area of plate used is charged to the purchaser's packing quota.

| Product (1) | Packing quota (2) | Can sizes (3) | Can materials: Body (4) | Can materials: End (5) |
|---|---|---|---|---|
| 1. Acid nitro-hydrochloric (outer Container) | 100% 1942 | 1-lb | Blackplate | Blackplate. |
| 2. Alcohol (excluding Anti-freeze) | 100% 1940 | | | |
| Pharmaceutical and chemically pure | | 1-gal | 1.25 tin | 1.25 tin. |
| Industrial | | 1-gal | SCMT | Blackplate. |
| 3. Aniline | 100% 1942 | 5-lb | 1.25 tin | 1.25 tin. |
| 4. Anti-freeze, ethylene glycol type | 100% 1941 | 1-gal | SCMT | Blackplate. |
| 5. Bee feeder cans for use in shipping bees | Unlimited | Any size | 0.50 tin | CTB. |

SCHEDULE III—NON-FOOD CANS—Continued

| Product (1) | Packing quota (2) | Can sizes (3) | Can materials: Body (4) | Can materials: End (5) |
|---|---|---|---|---|
| 6. Benzol, naphtha, toluene, and xylene | 100% 1942 | 1-gal | SCMT | Blackplate. |
| 7. Blood plasma | Unlimited | Any size | 0.50 tin | CTB. |
| 8. Calcium carbide | 100% 1942 | 2-lbs., 10-lb | Blackplate | Blackplate. |
| 9. Carbon bisulfide | 100% 1942 | 1-lb | SCMT | SCMT. |
| 10. Caulking Compound | 75% 1940 | 1-lb., 1-qt., 1-gal | Fibre | Blackplate. |
| 11. Caustic soda, lye, drain cleaners | 100% 1942 | 12-oz | Blackplate | Blackplate. |
| 12. Cements and dressings, limited to belting, furnace, linoleum, pipe joint, and radiator. Not to be packed dry. | 100% 1942 | Any size | Blackplate | Blackplate. |
| 13. Cements; rubber, solvent, or latex | 100% 1942 | 1-qt., 1-gal | Blackplate | Blackplate. |
| 14. Chloroform and ether | 100% 1942 | Any size | 1.25 tin | 1.25 tin. |
| 15. Chlorpicrin, bromacetone, monochloroacetone, and acrolein | 100% 1942 | 1-lb | SCMT | SCMT. |
| 16. Chromic acid (outer container) | 100% 1942 | ¼-lb., 1-lb | Blackplate | Blackplate. |
| 17. Chromium trioxide | 100% 1942 | 25-lb | Blackplate | Blackplate. |
| 18. Cleaning fluids, inflammable | 100% 1940 | ½-pt., 1-qt., 1-gal | SCMT | Blackplate. |
| 19. Creosote and wood preservatives | 100% 1942 | 1-gal | SCMT | Blackplate. |
| 20. Cyanide, calcium, potassium sodium, and mixtures (including cyanide-chloride mixtures). | 100% 1942 | 1-lb., 2½-lbs | SCMT | Blackplate. |
| 21. Disinfectants and germicides, liquid | 100% 1941 | 1-qt., 1-gal | SCMT | Blackplate. |
| 22. Film cans | 100% 1940 | Any size | Blackplate | Blackplate. |
| 23. Fire extinguisher fluid, limited to chlorinated hydrocarbon type, and foam powder extinguisher charges. | 100% 1942 | 1-qt., 1-gal | SCMT | SCMT. |
| 24. Gasket assembling compounds | 100% 1942 | 1-qt., 1-gal | Blackplate | Blackplate. |
| 25. Glues and adhesives, liquids | 100% 1942 | 1-qt., 1-gal | SCMT | SCMT. |
| 26. Grain fumigant, liquid | 100% 1942 | 1-gal | SCMT | SCMT. |
| 27. Graphite, with liquid content | 100% 1942 | 1-qt., 1-gal | Blackplate | Blackplate. |
| 28. Greases, lubricating | 100% 1942 | 1-lb., 5-lb., 10-lb., 25-lb | Blackplate | Blackplate. |
| 29. Grinding and buffing compounds, industrial. Not to be packed dry | 100% 1943 | Any size | Blackplate | Blackplate. |
| 30. Hydraulic brake fluid | 100% 1940 | 1-qt., 1-gal | SCMT | SCMT. |
| 31. Hypochlorite powders | 100% 1942 | 3¾ lbs., 5-lbs | SCMT | Blackplate. |
| 32. Inks, printing, duplicating, and lithographing | 80% 1942 | 8-oz., 1-lb., 2-lb., 5-lb., 10-lb. | Blackplate | Blackplate. |
| 33. Ink, spirit aniline and rotogravure | 100% 1942 | 5-gal | SCMT | SCMT. |
| 34. Insecticides and fungicides, liquid | Unlimited | 1-gal | SCMT | Blackplate. |
| | 150% of 1943 pack of 1-qt. size in cans and glass. | 1-qt | SCMT | Blackplate. |
| 35. Lubricating oils (excluding Motor Oil) | 100% 1940 | 1-gal | SCMT | Blackplate. |
| 36. Motor Oil | 25% 1940 | 1-qt., 5-qt | Blackplate | Blackplate. |
| 37. Nicotine sulphate | 100% 1943 | 5-lb | 1.50 tin | 1.50 tin. |
| 38. Nitric acid, fuming (outer Container) | 100% 1942 | ¼-lb., 1-lb | Blackplate | Blackplate. |
| 39. Oils, essential; distilled or cold pressed | 100% 1942 | 1-qt | 1.25 tin | 1.25 tin. |
| 40. Oils, transformer | 100% 1942 | 1-gal | 0.50 tin | 0.50 tin. |
| 41. Ointment and salve | 125% 1940 | Any size | Blackplate | Blackplate. |
| 42. Paints, copper bottom or antifouling | 150% 1943 | 1-gal | 1.25 tin | 1.25 tin. |
| 43. Paint products as follows | 75% 1940 | | | |
| (a) Pigmented Oil or Oleoresinous, Ready-Mixed, Semi-Paste and Paste, including but not limited to white lead in oil and colors in oil. | | 1-qt., 1-gal | Fibre | Blackplate. |
| | | ¼-pt., ½-pt., 1-pt | SCMT | Blackplate. |
| | | 1/27 gal., 1/12 gal. 14 oz., 24 oz. | | |
| (b) Paste Water Paints including Resin Emulsion | | ½-pt., 1-pt., 1-qt., 1-gal. | SCMT | SCMT. |
| (c) Varnishes—Varnish Stain, Oil Stain, Shingle Stain, and Lacquer Thinners | | ¼-pt., ½-pt., 1-pt., 1-qt., 1-gal. | SCMT | Blackplate. |
| | | 1/27 gal., 1/12 gal., 14 oz., 24 oz. | | |
| (d) Lacquer, Clear and Pigmented | | ¼-pt., ½-pt., 1-pt., 1-qt., 1-gal. | SCMT | SCMT. |
| (e) Aluminum Paint | | Any size | SCMT | Blackplate. |
| 44. Polishes and waxes: | | | | |
| Liquid | 100% 1940 | 1-pt., 1-qt., 1-gal | SCMT | Blackplate. |
| Paste | 100% 1940 | ½-lb., 1-lb | SCMT | Blackplate. |
| 45. Putty | 100% 1940 | 1-lb | Blackplate | Blackplate. |
| 46. Phenol | 100% 1942 | 5-lb | 1.50 tin | 1.50 tin. |
| 47. Phosphoric acid meta sticks | 100% 1942 | 25-lb | Blackplate | Blackplate. |
| 48. Phosphorus | 100% 1942 | 1-oz., ¼-lb., 1 lb | 1.25 tin | 1.25 tin. |
| 49. Potassium hydroxide | 100% 1942 | 25-lb | Blackplate | Blackplate. |
| 50. Potassium permanganate, reagent grade | 100% 1942 | 5-lb | 1.25 tin | 1.25 tin. |
| 51. Potassium sulfide | 100% 1942 | 25-lb | Blackplate | Blackplate. |
| 52. Liquid and Plastic Roof Cements, Fibrous and Non-Fibrous Roof Coatings (Excluding Lap Cement). | 75% 1940 | | | |
| Other than tar base | | 1-lb., 1-qt., 1-gal | Fibre | Blackplate. |
| Tar base | | 1-lb., 1-qt., 1-gal | SCMT | Blackplate. |
| 53. [Deleted Sept. 22, 1944.] | | | | |
| 54. Shellac | 100% 1942 | 1-qt., 1-gal | 8# Terneplate | 8# Terneplate. |
| 55. Shoe and leather polishes, waxes, dyes, dressings, stains and saddle soap. | 125% 1942 | Any size | Blackplate | Blackplate. |
| 56. Soap paste (including paste cleaners) | 125% 1942 | 10-oz | Blackplate | Blackplate. |
| 57. Sodium and potassium metals | 100% 1942 | 1-oz., ¼-lb., 1-lb | 1.25 tin | 1.25 tin. |
| 58. Sodium peroxide | 100% 1942 | 1-oz., ¼-lb., 1-lb | 0.50 tin | 0.50 tin. |
| 59. Sodium sulfide | 100% 1942 | 25-lb | Blackplate | Blackplate |
| 60. Soldering pastes, soldering and welding fluxes, and boiler sealing compounds. | 100% 1942 | Any size | Blackplate | Blackplate. |
| 61. Toilet bowl cleaner, limited to cleaners containing not less than 70% bisulphate of soda. | 30% 1942 | 10-oz | Fibre | Blackplate. |
| | 50% 1942 | 10-oz | Blackplate | Blackplate. |
| 62. Turpentine | 100% 1940 | 1-gal | SCMT | SCMT. |
| 63. Varnish and Paint Removers | 100% 1942 | ½-pt., 1-qt., 1-gal | SCMT | SCMT. |
| 64. Zinc Chloride | 100% 1942 | 25-lb | Blackplate | Blackplate. |
| 65. Dangerous chemicals for shipment in compliance with Interstate Commerce Commission regulations when a metal can is required by such regulations and no alternate package is permitted. | 100% 1942 | Any size | Blackplate | Blackplate. |

INTERPRETATION 1: Revoked June 8, 1944.
INTERPRETATION 2: Revoked May 16, 1944.

SCHEDULE IV—PRODUCTS PERMITTED TO BE PACKED IN SECONDARY METALS

NOTE: Schedule IV added Sept. 22, 1944.

(a) Wherever tinplate waste-waste is specified for making the body of a can for packing a product listed in this schedule, terneplate waste-waste may be substituted.
(b) Wherever an asterisk appears with a product it indicates that the packing quota for that product is in addition to the packing quota set forth in Schedule III.
(c) The letters Blk. Rej., Tin WW and Tern. WW appearing in Columns 4 and 5 mean Blackplate Rejects, Tinplate Waste-Waste, and Terneplate Waste-Waste, respectively.

| Product | Packing quota balance 1944 | Packing quota 1945 | Can sizes | Can materials | |
|---|---|---|---|---|---|
| | | | | Body | End |
| | (1) | (2) | (3) | (4) | (5) |
| 1. Auto supplies. Limited to tire repair kits, oil filters and condensers. | 25%—1941 | 100%—1941 | Any size | Blk.Rej. | Blk.Rej. |
| 2. Baking powder | 35%—1941 | 100%—1941 | 1-lb. or Sm. | Tin WW | Blk.Rej. |
| 3. Bouillon cubes | 35%—1941 | 100%—1941 | Any size | Blk.Rej. | Blk.Rej. |
| 4. *Caulking compound | 25%—1940 | 100%—1940 | 1-lb | Blk.Rej. | Blk.Rej. |
| 5. Cements and glues (dry) | 35%—1941 | 100%—1941 | Any size | Blk.Rej. | Blk.Rej. |
| 6. Cereals, flour, cookies, biscuits, crackers (export only) | 35%—1941 | 100%—1941 | Any size | Tin WW | Blk.Rej. |
| 7. Dehydrated vegetables containing less than 12% moisture. Not including Soups | Unlimited | Unlimited | Any size | Tin WW | Blk. Rej. |
| 8. Dyes (dry) | 35%—1941 | 100%—1941 | Any size | Blk. Rej. | Blk. Rej. |
| 9. Exterminators—rat paste, roach paste, other powders and pastes. Including traps | 35%—1941 | 100%—1941 | Any size | Tin WW | Blk. Rej. |
| 10. Electrodes (welding rods) | 35%—1941 | 100%—1941 | Any size | Blk. Rej. | Blk. Rej. |
| 11. Disinfectants and deodorizers. Limited to: Incense, Dis. and Deod. Powders, Blocks & Crystals, but incl. Moth Preventatives. | 35%—1941 | 100%—1941 | Any size | Blk. Rej. | Blk. Rej. |
| 12. *Grain fumigants and seed disinfectants | Unlimited | Unlimited | Any size | Tin WW | Tern. WW. |
| 13. Household oils | 35%—1941 | 100%—1941 | 8-oz. or sm. | Tin WW | Blk. Rej. |
| 14. *Inks | 25%—1941 | 100%—1941 | Any size | Blk. Rej. | Blk. Rej. |
| 15. Ink eradicator | 25%—1941 | 100%—1941 | Any size | Blk. Rej. | Blk Rej. |
| 16. Lap cement | 35%—1941 | 100%—1941 | 1-pint | Tinplate or Terneplate Waste Waste or Blackplate Rejects. | |
| 17. Lighter fluid | 35%—1941 | 100%—1941 | 8-oz. or Sm. | Tin WW | Blk. Rej. |
| 18.* Lye, drain cleaner, caustic soda, toilet bowl cleaner | 25%—1942 | 50%—1942 | Any size | Blk. Rej. | Blk. Rej. |
| 19. Plastic wood | 35%—1941 | 100%—1941 | Any size | Tin WW | Blk. Rej. |
| 20.* Rubber cement including solvent or latex) | 25%—1942 | 75%—1942 | 1-pt., 1-qt. | Blk. Rej. | Blk. Rej. |
| 21. Shock absorber fluid | 35%—1940 | 100%—1940 | 1-qt., 1-gal. | Tin WW | Blk. Rej. |
| 22. *Soap paste (including paste cleaners) | 25%—1942 | 50%—1942 | 10-oz. | Blk. Rej. | Blk. Rej. |
| 23. Spices, salt seasoning, dry mustard | 35%—1940 | 100%—1940 | Any size | Blk. Rej. | Blk. Rej. |
| 24. Tea | 35%—1941 | 100%—1941 | Any size | Blk. Rej. | Blk. Rej. |
| 25. *Putty | 25%—1940 | 50%—1940 | 1-lb | Blk. Rej. | Blk. Rej. |
| 26. *Liquid and plastic roof cements, fibrous and non-fibrous roof coatings, (excluding lap cements). | 25%—1940 | 50%—1940 | 1-qt., 1-gal., 1-lb. | Tin WW | Blk. Rej. |
| 27. Surgical dressings and hospital supplies (including bandages, adhesive tape, mustard plaster, sputum cups). | 35%—1941 | 100%—1941 | Any size | Blk. Rej. | Blk. Rej. |

[F. R. Doc. 44-14657; Filed, Sept. 22, 1944; 11:16 a. m.]

## PART 3281[1]—PULP AND PAPER

[General Preference Order M-251, as Amended Sept. 22, 1944]

### PULPWOOD

The fulfillment of requirements for the defense of the United States has created in certain areas and is expected to create in other areas a shortage in the supply for defense, for export and for private account, of wood for pulp and lumber, and has created a shortage in the supply for defense, for export and for private account of various materials and facilities required for the production of pulpwood; and the following order is deemed necessary and appropriate in the public interest and to promote national defense:

§ 3281.1[1] *General Preference Order M-251*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Pulpwood" includes wood of any species and in any form commonly delivered to a manufacturer of woodpulp for the manufacture of woodpulp, except those species and forms defined in and subject to the following orders of the War Production Board: M-186, and M-234.

(3) A "holder of pulpwood" is any person who holds or accumulates pulpwood for manufacture by himself into woodpulp.

(4) To "hold" or "accumulate" pulpwood means to have or obtain control of a supply of pulpwood whether by production or purchase directly by the holder, by production or purchase by an affiliate or subsidiary or by one branch, division or section of a single enterprise or by production or purchase by any other person for delivery to or for the account of the holder.

(c) *Reports of monthly receipts, consumption and inventory of pulpwood.* Each producer of woodpulp shall on or before the 5th day of each month, file Form WPB-1625 with the Pulpwood Production Branch, Paper Division, WPB, Reference M-251, for each mill operated by him located elsewhere in the United States than in the States of California, Washington and Oregon, and for each mill operated by him located in the States of California, Washington and Oregon shall on or before the 10th day of each month file Form WPB-1639, showing the monthly receipts, consumption and inventory of pulpwood at and for such mill, in accordance with instructions accompanying such forms.

*Quarterly estimates of pulpwood receipts.* Form WPB-3565 shall be filed by each producer of woodpulp on or before the 5th day of February, May, August and November for each mill operated by him located in the United States, showing quarterly estimates of pulpwood receipts for the 2 calendar quarters following the quarter in which the report is made in accordance with the instructions accompanying said form.

(d) *Control of pulpwood in areas of shortage.* Whenever the War Production Board determines that there prevails in any area a shortage in the supply of any type or types of pulpwood required for the production of materials needed in the public interest and for national defense, he may issue a schedule defining such area and such type or types of pulpwood, and may thereupon, according to the degree of the shortage and the immediacy of the need, and as specified in such schedule.

(1) Allocate specific quantities of pulpwood of the type or types defined held or accumulated in such area from and to specific persons;

(2) Direct holders of pulpwood in such area to maintain in their holdings or accumulations of pulpwood of the type or types defined a stated quantity or percentage, either uniform for all such holders or particular for any, to be known as a "Reserve Supply", available for disposition by the War Production Board, from which the War Production Board may from time to time authorize or direct the delivery of specific quantities to specific persons and/or the manufacture of

[1] Formerly Part 3113, § 3113.1

specific quantities into the specific products, and the War Production Board may in addition from time to time allocate specific quantities of any pulpwood of the type or types defined held or accumulated in such area, although not a part of such "Reserve Supply", from and to specific persons; and provide procedures for applying for and granting such authorizations, directions and allocations;

(3) Direct that no person, or no person of a specified class, may consume, process, deliver or accept delivery of any pulpwood of the type or types defined held or accumulated in such area except upon specific authorization or direction by the War Production Board, and provide procedures for applying for and granting such authorization or direction; and/or

(4) Limit or prohibit particular uses of pulpwood of the type or types defined held or accumulated in such area. In any allocation, authorization or direction issued by the War Production Board pursuant to clause (1), (2) or (3) of the foregoing paragraph, the War Production Board may require the person to whom such allocation, authorization or direction is issued to manufacture, from the pulpwood which is the subject thereof, particular types and quantities of woodpulp or other wood product or impose upon the use of such pulpwood by such person any other conditions necessary and appropriate in the public interest and for national defense. Such allocations, authorizations and directions and any conditions attached thereto, and any limitations or prohibitions issued pursuant to clause (4) of the foregoing paragraph, shall be made to insure the satisfaction of requirements, direct and indirect, for the defense of the United States and for essential civilian supply, may be made in consideration of the possible dislocation of labor, the effect of the local shortage on the national supply of products manufactured from pulpwood and woodpulp, the problems of transporting such products into and out of the area defined, and the necessity of keeping a plant in operation so that it may be able to fulfill war orders and essential requirements, and may be made in the discretion of the War Production Board, without regard to preference ratings.

(e) *Miscellaneous provisions* — (1) *Records.* All persons affected by this order shall keep and preserve, for not less than 2 years, complete records concerning their receipts, inventories, and consumption or other disposition of pulpwood.

(2) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(3) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(5) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Pulpwood Production Branch, Paper Division, War Production Board, Ref: M-251, Washington 25, D. C.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 44-14653; Filed, Sept. 22, 1944; 11:17 a. m.]

## PART 3281 [1]—PULPWOOD

[General Conservation Order M-251, Schedule 1, as Amended Sept. 22, 1944]

§ 3281.2 [1] *Schedule 1 to paragraph (d) of General Conservation Order M-251.* Pursuant to paragraph (d) of General Preference Order M-251, the War Production Board hereby determines that there prevails in the following area a shortage in the supply of the following type(s) of pulpwood required for the production of materials needed in the public interest and for national defense:

*Area.* That portion of the State of Washington, known as the Puget Sound area, which is described as follows: bounded on the West by the Pacific Ocean, bounded on the north by the Canadian Border, bounded on the east by the crest of the Cascade Mountain Range and bounded on the south by a line having the following course: east from the Pacific Ocean along north boundary of township 11 to range line between Townships 7 and 6 East; then south 3 miles; then east through Range 6 to Pacific County line; then south along Pacific County line to southern boundary of Lewis County line; then east along southern boundary of Lewis County line through Ranges 5 West and 4 West, and east 3 miles to center of Range 3 West; then north 3 miles through Range 3 West; then east through remainder of Range 3 West and through Range 2 West; then north on the range line between Range 2 West and Range 1 West to northern boundary of Township 11; then east along northern boundary of Township 11 through Range 1 West, Range 1 East, and Range 2 East; then south 3 miles on range line between Range 2 East and Range 3 East; then east through the center of townships in Ranges 3, 4 and 5 East; then south 3 miles to southern boundary of Lewis County line; then east on Lewis County line to the crest of the Cascade Mountain Range.

*Type(s) of pulpwood.* All grades and sizes of pulpwood logs of the following species (excepting cants, slabs or other sawmill waste):

(1) True firs of the botanical species: *Abies grandis* (white fir), *Abies Lasiocarpa* (balsam fir), *Abies amabilis* (silver fir) and *Abies concolor* (white fir).

(2) Sitka spruce of the botanical species: *Picea sitchensis*, except those grades of logs specified by the War Production Board under General Preference Order M-186 as "Sitka spruce logs, Grades No. 1 and 2 and cants and flitches of such logs". General Preference Order M-186 defines "Grades No. 1 and No. 2, Sitka spruce logs" as such grades as understood in the particular district [2] on August 1, 1941.

(3) Engelmann spruce of the botanical species: *Picea Engelmannii.*

(4) Western Hemlock of the botanical species, *Tsuga heterophylla* and *Tsuga mertensiana.*

Pursuant to subparagraph (3) of paragraph (d) of said order, the War Production Board hereby directs that on and after the day upon which this schedule is issued, and until this schedule is revoked, no holder of pulpwood, as defined in subparagraph (3) of paragraph (b) of M-251, shall consume, process, or deliver any such pulpwood except upon specific authorization or direction by the War Production Board.

Application for authorization or direction to consume, process or transfer such pulpwood must be submitted in writing to the Paper Division, War Production Board, Washington 25, D. C., Ref: M-251.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 44-14654; Filed, Sept. 22, 1944; 11:17 a. m.]

## PART 3281 [1]—PULPWOOD

[General Conservation Order M-251, Schedule 2, as Amended Sept. 22, 1944]

§ 3281.3 [1] *Schedule 2 to General Conservation Order M-251.* Pursuant to paragraph (d) of General Conservation Order M-251, the War Production Board hereby determines that there prevails in the following area a shortage in the supply of the following type(s) of pulpwood required for the production of materials needed in the public interest and for national defense:

*Area.* That portion of the states of Washington and Oregon, known as the Columbia-Willamette area, which is described as follows: bounded on the east by the crest of the Cascade Mountain Range, bounded on the south by the California-Oregon state line, bounded on the west by the Pacific Ocean, and bounded on the north by a line having the following course: starting in the state of Washington, east from the Pacific Ocean along north boundary of Township 11 to range line between Townships 7 and 6 East; then south 3 miles; then east through Range 6 to Pacific County line; then south along Pacific County line to southern boundary of Lewis County line; then east along southern boundary of Lewis County line through Ranges 5 West and 4 West, and east 3 miles to center of Range 3 West; then north 3 miles through Range 3 West; then east through remainder of Range 3 West and through Range 2 West; then north on the range line between Range 2 West and Range 1 West to northern boundary of Township 11; then east along northern boundary of Town-

[1] Formerly Part 3113, § 3113.2.

[1] Formerly Part 3113, § 3113.3.

ship 11 through Range 1 West, Range 1 East, and Range 2 East; then south 3 miles on range line between Range 2 East and Range 3 East; then east through the center of townships in Ranges 3, 4 and 5 East; then south 3 miles to southern boundary of Lewis County line; then east on Lewis County line to the crest of the Cascade Mountain Range.

*Types of pulpwood.* All grades and sizes of pulpwood logs of the following species (excepting cants, slabs or other sawmill waste):

(1) True firs of the botanical species: *Abies grandis* (white fir), *Abies lasiocarpa* (balsam fir), *Abies amabilis* (silver fir), *Abies concolor* (white fir) and *Abies magnifica* (red fir).

(2) Sitka spruce of the botanical species: *Picea sitchensis, except* those grades of logs specified by the War Production Board under General Preference Order M-186 as "Sitka spruce logs, Grades No. 1 and 2 and cants and flitches of such logs". General Preference Order M-186 defines "Grades No. 1 and No. 2, Sitka spruce logs" as such grades as understood in the particular district[3] on August 1, 1941.

(3) Engelmann spruce of the botanical species: *Picea Engelmannii.*

(4) Western Hemlock of the botanical species, *Tsuga heterophylla* and *Tsuga mertensiana.*

The War Production Board may, pursuant to subparagraph (1) of paragraph (d) of Order M-251 by further and individual directions, allocate specific quantities of such pulpwood from and to specific persons. Meanwhile, unless and until he receives such further directions, any person may consume or dispose of such pulpwood as if this Schedule had not been issued.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 44-14655; Filed, Sept. 22, 1944; 11:17 a. m.]

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## PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 29, as Amended Sept. 22, 1944]

### AMMONIUM SILICOFLUORIDE

§ 3293.1029 *Schedule 29 to General Allocation Order M-300*—(a) *Definitions.* (1) "Ammonium silicofluoride" means the chemical known by that name and also as ammonium fluosilicate. The term includes mixtures of ammonium silicofluoride with other ingredients such as sand casting compounds.

(2) "Metal caster" means a person engaged in the casting of metals such as magnesium and aluminum.

(b) *General provisions.* (1) Ammonium silicofluoride is subject to allocation under General Allocation Order M-300 as an Appendix B material. The initial allocation date is July 1, 1944, and the allocation period is the calendar month.

(2) Metal casters seeking to purchase ammonium silicofluoride or casting compounds containing ammonium silicofluoride must file a certificate with their purchase orders stating that the material is required for "aluminum casting", "magnesium casting", or other specified metal casting. In addition, metal casters must file a one time base period and inventory report on Form WPB-3442 pursuant to paragraph (e).

(3) Consumers seeking to purchase and use ammonium silicofluoride for any purpose other than metal casting are not required to obtain authorization or to file anything under this Schedule, notwithstanding paragraph (x) of Order M-300.

(4) Suppliers seeking to purchase ammonium silicofluoride for resale must file a certificate with their purchase orders. This is required whether the ammonium silicofluoride is bought and resold as such or in mixed form, except that a certificate is not required from a supplier seeking to purchase ammonium silicofluoride, packaged for retail sale and labeled as a moth-proofing compound or laundry sour or laboratory reagent chemical. The supplier's certificate must either state that the ammonium silicofluoride is required "for resale exclusively for non-metal casting purposes" or that it is required "for resale on further authorization".

(5) A supplier (unless he is a producer) is not required to apply on Form WPB-2947 or to obtain specific authorization for sale of ammonium silicofluoride exclusively to consumers other than metal casters (such as laundries or moth-proofing manufacturers) or to suppliers who sell exclusively for non-metal casting purposes, notwithstanding paragraphs (d) and (e) of Order M-300.

(6) A supplier who sells ammonium silicofluoride for metal casting purposes, whether or not he also sells it for other purposes, and each producer is required to file application on Form WPB-2947 pursuant to paragraph (c) for authorization to deliver after July 1, 1944, ammonium silicofluoride or any mixtures containing ammonium silicofluoride.

(7) Authorized deliveries to customers named individually on the supplier's form shall be made in a sequence best suited to the needs of the customers, without regard to preference ratings. Other authorized deliveries shall be made in the sequence determined by War Production Board regulations.

(c) *Suppliers' applications on Form WPB-2947.* Each supplier seeking authorization to use or deliver ammonium silicofluoride wholly or partly for metal casting purposes, and each producer seeking authorization to use or deliver for any purpose, shall file application on Form WPB-2947 (formerly PD-602). List individually all customers whose certified use is for metal casting or for resale on further authorization. All other requests shall be lumped and shall be entered as a total requested for "non-metal casting purposes". In Column 7 in Table I specify the quantity of ammonium silicofluoride shipped to each customer (other than a distributor) during the month before the month in which the application is filed. If any shipments were made to any other customers for metal casting purposes during that period, their names should be listed in Column 1, and opposite in Column 7, the amount shipped should be specified. The filing date is the 20th day of the month before the proposed delivery month. File separate sets of forms for ammonium silicofluoride as such and in mixtures (specify ammonium silicofluoride content in the grade space). Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-29. The unit of measure is the pound (total weight in case of mixtures). Fill in Table II.

(d) *Customers' certificate of use.* Each metal caster and each direct or indirect supplier of metal casters ordering ammonium silicofluoride shall furnish with or on his purchase order a certified statement of proposed use, in the form prescribed in Appendix D of General Allocation Order M-300. The certified statement should be in the hands of the supplier not later than the 15th day of the month before the requested delivery month. Specify as the proposed use "Aluminum casting", "Magnesium casting" or other specified metal casting, or "Resale on further authorization".

(e) *One time report on use and inventory*—(1) *Who must file.* Each metal caster shall file a one time use and inventory report on Form WPB-3442, on or before the date of his initial filing of a use certificate pursuant to paragraph (d) above. Separate sets of forms shall be prepared for ammonium silicofluoride as such and in the form of mixtures. A caster who purchases ammonium silicofluoride for use in a mixture should file only for the ammonium silicofluoride. Retain one copy and send one certified copy of each set to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-29.

(2) *Heading.* Specify in space (1) ammonium silicofluoride as such or ammonium silicofluoride in mixture (specify ammonium silicofluoride content or suppliers' designation), in space (2) specify "pounds", and in space (3) specify "M-300-29." Fill in the other spaces as indicated.

(3) *Section I.* Fill in Column (a) as indicated and leave Column (b) blank. In the heading of Columns (d), (e), (f) and (g) specify 1st, 2d, 3d and 4th quarters, 1944, respectively. Fill in these columns accordingly, including the bottom line of section I, giving estimates for the 2d, 3d and 4th quarters of 1944.

(4) *Section II.* Leave Columns (a) and (d) blank. In the heading of Column (b), specify April 1, 1944, and fill in accordingly. In the heading of Column (c) specify the first day of the month following the month in which the report is filed and fill in accordingly.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this Schedule shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-29.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 44-14649; Filed, Sept. 22, 1944; 11:18 a. m.]

[3] General Preference Order M-186 also defines "district".

## Chapter XI—Office of Price Administration

### PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[MPR 559]

### EASTERN POLES AND PILING

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Regulation.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the industry affected.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

MAXIMUM PRICE REGULATION 559—EASTERN POLES AND PILING

Sec.

1. Sales of Eastern poles and piling at higher than maximum prices prohibited.
2. Coverage of the regulation.
3. Basic maximum prices.
4. Transportation addition.
5. Treated products.
6. Special pricing.
7. Adjustable pricing.
8. Exports and imports.
9. Records.
10. Petitions for amendment and adjustment.
11. Prohibited practices.
12. Enforcement.
13. Licensing.
14. Maximum prices for poles and piling.

AUTHORITY: Secs. 1 to 14, inclusive (§ 1426.258) issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Sales of Eastern poles and piling at higher than maximum prices prohibited.* (a) On and after September 26, 1944, regardless of any contract or other obligation except as provided in paragraph (c) of this section, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Eastern poles and piling covered by this regulation at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices, may, of course, be charged and paid.

(c) In any case where a maximum price having once been established in this regulation is reduced by subsequent amendment, sellers who have entered into firm contracts on the basis of the earlier ceilings may apply for special permission to complete shipment under such firm contracts without regard to the new ceiling, under the following rules and conditions:

(1) The permission, if granted, will allow completion of the contract within 60 days from the effective date of the action setting up new ceilings.

(2) The existence of a "firm contract" must be shown by the seller's submitting a copy of formal contract or copies of written order and acceptance covering specific items, quantities, and prices.

(3) The application must show that the items covered by the contract were actually being produced and had not been shipped on the effective date of the amendment which changes the maximum price.

(4) The seller must state in his application—and the permission, if granted, will be so limited—that all prices shown in the contract will be adhered to, even though the maximum price on some items included therein may have been increased by the amendment.

(5) Applications must be sent to the Lumber Branch, Office of Price Administration, at Washington, D. C. The Lumber Branch may grant or deny such applications by letter or telegram.

Note that the seller must apply for the special permission covered in this paragraph, and he may not go ahead on the basis of the contract prices unless and until he has received the authorization to do so.

SEC. 2. *Coverage of the regulation.* This regulation covers all sales and purchases of poles and piling of the species listed, produced in "Eastern" territory, as described below:

(a) *Products.* Eastern poles and piling.

(b) *Species.* All species commercially used for poles and piling produced within "Eastern" territory, as described below, with the exception of Northern White Cedar. (Maximum prices for Northern White Cedar poles will be found in Maximum Price Regulation 560.)

(c) *Territory.* "Eastern" territory is all that area within or east of Minnesota, Iowa, Nebraska, Kansas, Oklahoma (except the Panhandle-Cimarron, Texas, and Beaver Counties), and Texas (except West Texas—that part within or west of Lipscomb, Hemphill, Wheeler, Hollingsworth, Childress, Cottle, King, Stonewall, Fisher, Nolan, Coke, Tom Green, Schleicher, Sutton, Edwards, Kinney and Maverick Counties). Tables 1, 2, and 3 in Section 14 apply only to certain production zones described in the table headings; all other price tables apply to the entire territory.

(d) *Definitions.* (1) "Pole" means any round peeled or unpeeled section of a tree, longer than 14 feet, suitable for use to support transmission or communication lines at varying heights above the ground.

(2) "Piling" means the same as "pole" except that it must be suited for driving in the ground to form foundation for construction such as wharves, bulkheads, buildings, and the like.

(3) "Normal loading-out point" means the siding or point on a railroad, the booming and rafting grounds, or the barge landing at which the poles and piling may be sold and to which they can be most cheaply transported from the point of production for shipment by rail, raft, or barge.

SEC. 3. *Basic maximum prices.* The maximum prices for Eastern poles and piling are set out in section 14. These prices are established f. o. b. towable waters, f. o. b. barges at the barge landing, or f. o. b. cars at the railroad loading-out point which is the producer's "normal loading-out point" as defined in section 2 (d) (3).

The maximum producer's price which may be charged or paid shall be the price established for the zone in which the "normal loading-out point" of the material is located, subject only to additions for transportation permitted by section 4.

SEC. 4. *Transportation addition.* The transportation charges set forth below may be added to the maximum f. o. b. loading-out point price when the seller makes delivery.

Transportation from the point of production to the railroad loading-out point, barge loading point, or booming and rafting ground must, in every instance, be provided on the seller's account. Rail, barge and towing charges paid by the seller for transportation beyond the loading-out point may, in every case, be added. Truck charges may be added only when delivery is made by the seller to a destination other than a loading-out point and in such cases the charge must be reduced by the cost of trucking to the seller's nearest loading-out point. If the seller finds that by making transportation additions it is more profitable to sell at a loading-out point other than the one nearest to his point of production he has wrongly applied this section. All additions for transportation must be shown separately on the invoice.

(a) *Common or contract carrier.* (1) When estimated weights or guaranteed mean diameters are used, the appropriate published rate times the estimated weight or mean diameter is the proper transportation charge, even though the estimated weights or diameters may be higher than actual. Estimated weights higher than those set forth in section 14 may not be used. The estimated weights must be taken for the exact type of product actually ordered. To compute mean diameters add 1" to the top or butt diameter, whichever is the controlling factor, and increase or decrease that figure by 1" for each ten lineal feet. Add the top and butt diameters thus determined and divide by two to find the mean diameter.

The charge for transportation shall be evened out to the nearest quarter-cent per lineal foot, or 5¢ per pole, whichever is applicable.

(b) *Private truck.* (1) When shipment is by truck owned or controlled by the seller, the maximum permissible addition (on hauls involving any point outside metropolitan areas) shall be computed as 5 cents per 100 pounds for hauls not over 10 miles; 7 cents per 100 pounds for more than 10 but not over 20 miles; 9 cents per 100 pounds for more than 20 but not over 30 miles; and on hauls of more than 30 miles, for each mile over 30 two-tenths of a cent per 100 pounds to be added to the 30 mile charge. No addition is allowed for the return trip. In the case of poles and piling only, if the order is for less than a truck load a minimum charge for 10,000 pounds may be made.

* Copies may be obtained from the Office of Price Administration.

(2) A "metropolitan area" includes all territory within 10 miles of the city limits of any city having a population of 250,000 or more according to the census of 1940. On shipments by private truck entirely within a metropolitan area, the amount added for transportation may not be more than the published motor common carrier rate for such hauls times the estimated weights or other unit of measure used. If there is no published rate, then the actual cost of trucking may be added, that is, the seller's out-of-pocket expense in making delivery.

(c) *Averaging-out.* When a single order requires quotations of a single flat delivered price and fulfillment of the order contemplates delivery with a variation in pole or piling prices and/or a variation in freight rates, the seller may use a flat average delivered price, but must show on each invoice that the particular shipment is part of a large order for which a reconciliation invoice will be furnished.

Upon completion of the order the seller must render a final invoice showing the quantity of each shipment or delivery, the freight charge for each if sold on a delivered basis, the total amount due on the order at the agreed average prices, and a reconciliation of the total amount so computed with the maximum prices permitted by this regulation. Final payment and all necessary adjustments between buyer and seller are to be made upon the final reconciliation. Failure to make reconciliation invoice within 30 days of completion of the order for which an average price was quoted is as much a violation of the regulation as selling at an over-ceiling price.

SEC. 5. *Treated products.* (a) The maximum prices for Eastern primary forest products preservatively treated by pressure process are established by Maximum Price Regulation No. 491.[1]

(b) The maximum price for any Eastern primary forest product preservatively treated by non-pressure methods (except Northern White Cedar poles) shall be the maximum price established by the General Maximum Price Regulation[2] for each seller plus or minus an amount to cover any increased or decreased untreated cost resulting from the maximum prices established by this regulation. This amount shall be determined by each seller in the following manner:

Determine the difference between the highest untreated price f. o. b. loading-out point, paid in March 1942 by this seller of treated products and the maximum price established in this regulation for the same size, class, and grade of untreated product. If the buying price is increased by this regulation, add the difference to the seller's established price under the General Maximum Price Regulation for the treated product. If the buying price is decreased by this regulation, subtract the difference from the seller's established price under the General Maximum Price Regulation for the treated product. (If the seller of a treated product did not buy in March 1942, he should use his buying price in the first month prior to March 1942 in which he purchased the untreated product.)

SEC. 6. *Special pricing.* If a seller wishes to sell a species or specification of Eastern poles or piling not specifically priced in this regulation, or wishes to make charges for extras not specifically provided for, he shall apply to the Lumber Branch, Office of Price Administration, Washington, 25, D. C., for approval of a maximum price. He must provide the following information:

(a) The requested price;

(b) A complete description of the item for which price approval is desired;

(1) If a specification other than Navy 39P–14a Class 2 for piling or A. S. A. for poles, he shall furnish a copy of the specification.

(2) If any other extra is to be priced, he shall furnish a description of the extra for which an addition is requested.

(c) The price differential between the item to be priced and the most comparable item priced in the regulation, which existed in October 1941 or the first month preceding October 1941 in which both items were sold. The differential should be developed from the seller's own records, or if that is not possible, from the experience of other buyers and sellers.

(d) If no price differential exists, a detailed analysis of the comparative costs of supplying the two items shall be furnished.

As soon as the request has been filed, quotations and deliveries may be made at the requested price, but final payment may not be made until a price has been approved by the Office of Price Administration. Such approvals may be made by letter or telegram.

SEC. 7. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is necessary to promote distribution or production and it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 8. *Exports and imports.* (a) The maximum price for export sales of Eastern poles and piling is governed by the Second Revised Maximum Export Price Regulation.[3]

(b) For poles and piling produced in Canada or Mexico and imported at points in "Eastern" territory in the United States, the maximum price is the appropriate price "f. o. b. normal loading-out point" established in this regulation, and such port of entry shall be regarded as the "normal loading-out point." Poles and piling of Canadian or Mexican origin entered at points in "Western" territory are subject to Maximum Price Regulation 555.[4]

SEC. 9. *Records.* All sellers of Eastern poles and piling products must keep records which will show a complete description of the item sold, the name and address of the buyer, the date of the sale, and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought $1,000 worth of Eastern poles and piling. These records must be kept for inspection by the Office of Price Administration for the duration of the Emergency Price Control Act of 1942 or for two years, whichever is the shorter.

SEC. 10. *Applications for adjustment and petitions for amendment*—(a) *Government contracts.* See Procedural Regulation No. 6[5] for adjustment provisions on certain government contracts or subcontracts.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[6] issued by the Office of Price Administration.

SEC. 11. *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings, and the like. Sellers must maintain cash discounts and credit terms no less favorable to buyers than the cash discounts and credit terms they allowed on October 1, 1941, except that a discount longer than 2 percent is not regarded as a cash discount under this rule.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Refusing to sell on a loading-out point basis and insisting on selling on a delivered basis.

(2) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(3) Making the buyer take something he does not want in order to get what he does want.

(4) Selling or buying material under and according to the provisions of this regulation to be converted into products suitable for uses other than those set out in section 2 (d), "Definitions."

(c) *Purchasing commissions.* It is unlawful for any person to charge, receive or pay a commission for the service of

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[1] 8 F.R. 15594, 9 F.R. 8182, 9955.

[2] 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

[3] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5923, 7201, 9834, 11273.

[4] 9 F.R. 10992.

[5] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024; 9 F.R. 6256, 10628.

[6] 9 F.R. 5791, 10476.

procuring, buying, selling, or locating Eastern poles and piling.

SEC. 12. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 13. *Licensing.* The provisions of Licensing Order No. 1,[1] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended, may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 14. *Maximum prices for poles and piling.* All maximum prices set forth below are f. o. b. towable waters or cars at the railroad loading-out point nearest the point of production in the normal direction of delivery to the point of destination.

TABLE 1—ROUGH PEELED YELLOW PINE PILING—PRODUCED IN THE NORTHEASTERN ZONE CONSISTING OF THAT PART OF THE UNITED STATES COVERED BY THIS REGULATION (SECTION 2 (c)) NORTH AND EAST OF THE MISSOURI RIVER, THE MISSISSIPPI RIVER, AND THE NORTHERN BOUNDARY OF THE STATES OF TENNESSEE AND NORTH CAROLINA—MAXIMUM PRICES AND WEIGHTS PER LINEAL FOOT; NAVY SPECIFICATIONS 39 P–14A CLASS 2 (F. O. B. CARS PRODUCER'S LOADING-OUT POINT OR DUMPED, BOOMED, RAFTED AND PREPARED FOR TOWING IN TOWABLE WATERS)

| Lengths | 9″ minimum butt including 8′–1′ to 8″–6′ | | 10″ minimum butt including 9″–1′ to 9″–6′ | | 11″ minimum butt including 10″–1′ to 10″–6′ | | 12″ minimum butt including 11″–1′ to 11″–6′ | | 13″ minimum butt including 12″–1′ to 12″–6′ | | 14″ minimum butt including 13″–1′ to 13″–6′ | | 15″ minimum butt including 14″–1′ to 14″–6′ | | 16″ minimum butt including 15″–1′ to 15″–6′ | | 17″ minimum butt including 16″–1′ to 16″–6′ | | 18″ minimum butt including 17″–1′ to 17″–6′ | | 19″ minimum butt including 18″–1′ to 18″–6′ | | 20″ minimum butt including 19″–1′ to 19″–6′ | | 21″ minimum butt including 20″–1′ to 20″–6′ | | 22″ minimum butt including 21″–1′ to 21″–6′ | | 23″ minimum butt including 22″–1′ to 22″–6′ | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights |
| 15′ to 17′ incl | $0.10 | 26 | $0.11 | 31 | $0.13 | 38 | $0.17 | 45 | $0.19 | 52 | $0.22 | 61 | $0.26 | 70 | | | | | | | | | | | | | | | | | | |
| 18′ to 22′ incl | .10 | 24 | .11 | 30 | .13 | 36 | .17 | 44 | .19 | 51 | .22 | 59 | .26 | 68 | | | | | | | | | | | | | | | | | | |
| 23′ to 27′ incl | .11 | 23 | .12 | 29 | .13 | 35 | .17 | 41 | .19 | 49 | .22 | 57 | .26 | 66 | | | | | | | | | | | | | | | | | | |
| 28′ to 32′ incl | .11 | 22 | .12 | 28 | .13 | 33 | .17 | 40 | .19 | 47 | .22 | 55 | .26 | 63 | $0.30 | 72 | | | | | | | | | | | | | | | | |
| 33′ to 37′ incl | .12 | 21 | .13 | 26 | .14 | 32 | .17 | 38 | .19 | 45 | .22 | 53 | .26 | 61 | .30 | 70 | $0.35 | 79 | | | | | | | | | | | | | | |
| 38′ to 42′ incl | .12 | 20 | .13 | 25 | .14 | 30 | .18 | 37 | .20 | 44 | .23 | 51 | .26 | 59 | .30 | 68 | .35 | 77 | | | | | | | | | | | | | | |
| 43′ to 47′ incl | | | | | .15 | 29 | .19 | 35 | .21 | 42 | .24 | 49 | .27 | 57 | .31 | 66 | .36 | 75 | $0.42 | 85 | | | | | | | | | | | | |
| 48′ to 52′ incl | | | | | .16 | 28 | .21 | 34 | .23 | 40 | .26 | 47 | .29 | 55 | .33 | 64 | .38 | 73 | .44 | 83 | $0.50 | 94 | $0.56 | 105 | | | | | | | | |
| 53′ to 57′ incl | | | | | | | .23 | 33 | .25 | 39 | .28 | 46 | .31 | 53 | .35 | 62 | .40 | 71 | .46 | 80 | .52 | 92 | .58 | 102 | | | | | | | | |
| 58′ to 62′ incl | | | | | | | .26 | 31 | .28 | 38 | .31 | 45 | .34 | 52 | .38 | 59 | .43 | 68 | .49 | 78 | .55 | 89 | .61 | 100 | $0.67 | 111 | | | | | | |
| 63′ to 67′ incl | | | | | | | | | .31 | 36 | .34 | 43 | .37 | 50 | .41 | 58 | .46 | 67 | .52 | 75 | .58 | 87 | .64 | 97 | .70 | 109 | | | | | | |
| 68′ to 72′ incl | | | | | | | | | .35 | 35 | .38 | 42 | .41 | 49 | .45 | 56 | .50 | 64 | .56 | 73 | .62 | 84 | .68 | 95 | .74 | 106 | | | | | | |
| 73′ to 77′ incl | | | | | | | | | | | .43 | 40 | .46 | 47 | .50 | 55 | .55 | 63 | .61 | 71 | .67 | 82 | .73 | 92 | .79 | 103 | $0.85 | 115 | $0.91 | 126 | | |
| 78′ to 82′ incl | | | | | | | | | | | .48 | 39 | .51 | 45 | .55 | 53 | .60 | 62 | .66 | 70 | .72 | 80 | .78 | 90 | .84 | 101 | .90 | 112 | .96 | 124 | | |
| 83′ to 87′ incl | | | | | | | | | | | | | | | .60 | 52 | .65 | 60 | .71 | 68 | .77 | 78 | .83 | 87 | .89 | 98 | .95 | 109 | 1.01 | 121 | | |
| 88′ to 92′ incl | | | | | | | | | | | | | | | .65 | 50 | .70 | 58 | .76 | 66 | .82 | 76 | .88 | 85 | .94 | 96 | 1.00 | 106 | 1.06 | 118 | | |
| 93′ to 97′ incl | | | | | | | | | | | | | | | .70 | 48 | .75 | 56 | .81 | 64 | .87 | 73 | .93 | 83 | .99 | 93 | 1.05 | 104 | 1.11 | 115 | | |
| 98′ to 102′ incl | | | | | | | | | | | | | | | .75 | 46 | .80 | 54 | .86 | 62 | .92 | 71 | .98 | 81 | 1.04 | 91 | 1.10 | 101 | 1.16 | 112 | | |

TABLE 2—ROUGH PEELED YELLOW PINE PILING—PRODUCED IN THE SOUTHEASTERN ZONE CONSISTING OF THAT PART OF THE UNITED STATES COVERED BY THIS REGULATION (SECTION 2 (c)) SOUTH AND WEST OF THE MISSOURI RIVER, THE MISSISSIPPI RIVER, AND THE NORTHERN BOUNDARIES OF THE STATES OF TENNESSEE AND NORTH CAROLINA—MAXIMUM PRICES AND WEIGHTS PER LINEAL FOOT; NAVY SPECIFICATIONS 39 P–14A CLASS 2 (F. O. B. CARS PRODUCER'S LOADING-OUT POINT OR DUMPED, BOOMED, RAFTED AND PREPARED FOR TOWING IN TOWABLE WATERS)

| Lengths | 9″ minimum butt including 8′–1′ to 8″–6′ | | 10″ minimum butt including 9″–1′ to 9″–6′ | | 11″ minimum butt including 10″–1′ to 10″–6′ | | 12″ minimum butt including 11″–1′ to 11″–6′ | | 13″ minimum butt including 12″–1′ to 12″–6′ | | 14″ minimum butt including 13″–1′ to 13″–6′ | | 15″ minimum butt including 14″–1′ to 14″–6′ | | 16″ minimum butt including 15″–1′ to 15″–6′ | | 17″ minimum butt including 16″–1′ to 16″–6′ | | 18″ minimum butt including 17″–1′ to 17″–6′ | | 19″ minimum butt including 18″–1 to 18″–6′ | | 20″ minimum butt including 19″–1′ to 19″–6′ | | 21″ minimum butt including 20″–1′ to 20″–6′ | | 22″ minimum butt including 21″–1′ to 21″–6′ | | 23″ minimum butt including 22″–1′ to 22″–6′ | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights |
| 15′ to 17′ incl | $0.08 | 26 | $0.09 | 31 | $0.11 | 38 | $0.14 | 45 | $0.16 | 52 | $0.19 | 61 | $0.23 | 70 | | | | | | | | | | | | | | | | | | |
| 18′ to 22′ incl | .08 | 24 | .09 | 30 | .11 | 36 | .14 | 44 | .16 | 51 | .19 | 59 | .23 | 68 | | | | | | | | | | | | | | | | | | |
| 23′ to 27′ incl | .09 | 23 | .10 | 29 | .11 | 35 | .14 | 41 | .16 | 49 | .19 | 57 | .23 | 66 | | | | | | | | | | | | | | | | | | |
| 28′ to 32′ incl | .09 | 22 | .10 | 28 | .11 | 33 | .14 | 40 | .16 | 47 | .19 | 55 | .23 | 63 | $0.27 | 72 | | | | | | | | | | | | | | | | |
| 33′ to 37′ incl | .10 | 21 | .11 | 26 | .12 | 32 | .14 | 38 | .16 | 45 | .19 | 53 | .23 | 61 | .27 | 70 | $0.32 | 79 | | | | | | | | | | | | | | |
| 38′ to 42′ incl | .10 | 20 | .11 | 25 | .12 | 30 | .15 | 37 | .17 | 44 | .20 | 51 | .23 | 59 | .27 | 68 | .32 | 77 | | | | | | | | | | | | | | |
| 43′ to 47′ incl | | | | | .13 | 29 | .16 | 35 | .18 | 42 | .21 | 49 | .24 | 57 | .28 | 66 | .33 | 75 | $0.39 | 85 | | | | | | | | | | | | |
| 48′ to 52′ incl | | | | | .14 | 28 | .18 | 34 | .20 | 40 | .23 | 47 | .26 | 55 | .30 | 64 | .35 | 73 | .41 | 83 | $0.47 | 94 | $0.53 | 105 | | | | | | | | |
| 53′ to 57′ incl | | | | | | | .20 | 33 | .22 | 39 | .25 | 46 | .28 | 53 | .32 | 62 | .37 | 71 | .43 | 80 | .49 | 92 | .55 | 102 | | | | | | | | |
| 58′ to 62′ incl | | | | | | | .23 | 31 | .25 | 38 | .28 | 45 | .31 | 52 | .35 | 59 | .40 | 68 | .46 | 78 | .52 | 89 | .58 | 100 | $0.64 | 111 | | | | | | |
| 63′ to 67′ incl | | | | | | | | | .28 | 36 | .31 | 43 | .34 | 50 | .38 | 58 | .43 | 67 | .49 | 75 | .55 | 87 | .61 | 97 | .67 | 109 | | | | | | |
| 68′ to 72′ incl | | | | | | | | | .32 | 35 | .35 | 42 | .38 | 49 | .42 | 56 | .47 | 64 | .53 | 73 | .59 | 84 | .65 | 95 | .71 | 106 | | | | | | |
| 73′ to 77′ incl | | | | | | | | | | | .40 | 40 | .43 | 47 | .47 | 55 | .52 | 63 | .58 | 71 | .64 | 82 | .70 | 92 | .76 | 103 | $0.82 | 115 | $0.88 | 126 | | |
| 78′ to 82′ incl | | | | | | | | | | | .45 | 39 | .48 | 45 | .52 | 53 | .57 | 62 | .63 | 70 | .69 | 80 | .75 | 90 | .81 | 101 | .87 | 112 | .93 | 124 | | |
| 83′ to 87′ incl | | | | | | | | | | | | | | | .57 | 52 | .62 | 60 | .68 | 68 | .74 | 78 | .80 | 87 | .86 | 98 | .92 | 109 | .98 | 121 | | |
| 88′ to 92′ incl | | | | | | | | | | | | | | | .62 | 50 | .67 | 58 | .73 | 66 | .79 | 76 | .85 | 85 | .91 | 96 | .97 | 106 | 1.03 | 118 | | |
| 93′ to 97′ incl | | | | | | | | | | | | | | | .67 | 48 | .72 | 56 | .78 | 64 | .84 | 73 | .90 | 83 | .96 | 93 | 1.02 | 104 | 1.08 | 115 | | |
| 98′ to 102′ incl | | | | | | | | | | | | | | | .72 | 46 | .77 | 54 | .83 | 62 | .89 | 71 | .95 | 81 | 1.01 | 91 | 1.07 | 101 | 1.13 | 112 | | |

[1] 8 F.R. 13240.

TABLE 3—ROUGH PEELED CYPRESS PILING—PRODUCED IN THE SOUTHEASTERN ZONE CONSISTING OF THAT PART OF THE UNITED STATES COVERED BY THIS REGULATION (SECTION 2 (C)) SOUTH AND WEST OF THE MISSOURI RIVER, THE MISSISSIPPI RIVER AND THE NORTHERN BOUNDARIES OF THE STATES OF TENNESSEE AND NORTH CAROLINA—MAXIMUM PRICES AND WEIGHTS PER LINEAL FOOT; NAVY SPECIFICATIONS 39 P–14A CLASS 2 (F. O. B. CARS PRODUCER'S LOADING-OUT POINT OR DUMPED, BOOMED, RAFTED, AND PREPARED FOR TOWING IN TOWABLE WATERS)

| Lengths | 9″ minimum butt including 8″–1′ to 8″–6′ | | 10″ minimum butt including 9″–1′ to 9″–6′ | | 11″ minimum butt including 10″–1′ to 10″–6′ | | 12″ minimum butt including 11″–1′ to 11″–6′ | | 13″ minimum butt including 12″–1′ to 12″–6′ | | 14″ minimum butt including 13″–1′ to 13″–6′ | | 15″ minimum butt including 14″–1′ to 14″–6′ | | 16″ minimum butt including 15″–1′ to 15″–6′ | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights |
| 15′ to 17′ incl | $0.09 | 21 | $0.11 | 26 | $0.12 | 31 | $0.13 | 37 | $0.15 | 43 | $0.18 | 50 | $0.21 | 57 | ------- | ---------- |
| 18′ to 22′ incl | .09 | 20 | .11 | 25 | .12 | 30 | .13 | 36 | .15 | 41 | .18 | 49 | .21 | 55 | ------- | ---------- |
| 23′ to 27′ incl | .09 | 19 | .11 | 24 | .12 | 28 | .13 | 34 | .15 | 40 | .18 | 46 | .21 | 54 | ------- | ---------- |
| 28′ to 32′ incl | .09 | 18 | .11 | 23 | .12 | 27 | .13 | 32 | .15 | 39 | .18 | 45 | .21 | 52 | $0.25 | 59 |
| 33′ to 37′ incl | .10 | 17 | .11 | 21 | .12 | 26 | .13 | 31 | .15 | 37 | .18 | 43 | .21 | 50 | .25 | 57 |
| 38′ to 42′ incl | .10 | 16 | .11 | 20 | .12 | 25 | .14 | 30 | .16 | 36 | .19 | 42 | .22 | 49 | .26 | 55 |
| 43′ to 47′ incl | .11 | 15 | .12 | 19 | .13 | 23 | .15 | 29 | .17 | 34 | .20 | 40 | .23 | 47 | .27 | 54 |
| 48′ to 52′ incl | .12 | 14 | .13 | 18 | .14 | 22 | .17 | 28 | .19 | 33 | .22 | 39 | .25 | 45 | .29 | 52 |
| 53′ to 57′ incl | ------- | ---------- | ------- | ---------- | ------- | ---------- | .19 | 26 | .21 | 32 | .24 | 37 | .27 | 44 | .31 | 50 |
| 58′ to 62′ incl | ------- | ---------- | ------- | ---------- | ------- | ---------- | .21 | 24 | .23 | 30 | .26 | 36 | .29 | 42 | .33 | 49 |
| 63′ to 67′ incl | ------- | ---------- | ------- | ---------- | ------- | ---------- | ------- | ---------- | .25 | 28 | .28 | 34 | .31 | 41 | .35 | 47 |
| 68′ to 72′ incl | ------- | ---------- | ------- | ---------- | ------- | ---------- | ------- | ---------- | .27 | 27 | .30 | 32 | .33 | 39 | .38 | 46 |
| 73′ to 77′ incl | ------- | ---------- | ------- | ---------- | ------- | ---------- | ------- | ---------- | ------- | ---------- | .33 | 30 | .36 | 37 | .42 | 45 |
| 78′ to 82′ incl | ------- | ---------- | ------- | ---------- | ------- | ---------- | ------- | ---------- | ------- | ---------- | .37 | 29 | .40 | 36 | .47 | 43 |

[1] For cypress produced in Northeastern Zone add 3¢ per lineal foot to above prices and use above weights.
[2] For mixed orders of pine and cypress see footnote 9.

TABLE 4—ROUGH PEELED PILING OF MIXED SPECIES—(MUST INCLUDE AT LEAST FIVE SPECIES) PRODUCED IN ALL "EASTERN" TERRITORY—MAXIMUM PRICES AND WEIGHTS PER LINEAL FOOT; NAVY SPECIFICATIONS 39 P–14A CLASS 2 (F. O. B. CARS PRODUCER'S LOADING-OUT POINT OR DUMPED, BOOMED, RAFTED, AND PREPARED FOR TOWING IN TOWABLE WATERS)

| Lengths | 9″ minimum butt including 8″–1′ to 8″–6′ | | 10″ minimum butt including 9″–1 to 9″–6′ | | 11″ minimum butt including 10″–1′ to 10″–6′ | | 12″ minimum butt including 11″–1′ to 11″–6′ | | 13″ minimum butt including 12″–1′ to 12″–6′ | | 14″ minimum butt including 13″–1′ to 13″–6′ | | 15″ minimum butt including 14″–1′ to 14″–6′ | | 16″ minimum butt including 15″–1′ to 15″–6′ | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights |
| 15′ to 17′ incl | $0.11 | 29 | $0.13 | 35 | $0.14 | 42 | $0.16 | 50 | $0.18 | 58 | $0.21 | 68 | $0.24 | 77 | ------- | ---------- |
| 18′ to 22′ incl | .11 | 27 | .13 | 34 | | 40 | .16 | 48 | .18 | 56 | .21 | 66 | .24 | 75 | ------- | ---------- |
| 23′ to 27′ incl | .11 | 26 | .13 | 32 | | 39 | .16 | 46 | .18 | 55 | .21 | 63 | .24 | 72 | ------- | ---------- |
| 28′ to 32′ incl | .11 | 24 | .13 | 31 | | 37 | .16 | 44 | .18 | 53 | .21 | 61 | .24 | 70 | $0.28 | 80 |
| 33′ to 37′ incl | .12 | 23 | .13 | 29 | | 35 | .16 | 42 | .18 | 50 | .21 | 59 | .24 | 68 | .28 | 77 |
| 38′ to 42′ incl | .12 | 22 | .13 | 28 | | 34 | .17 | 41 | .19 | 49 | .22 | 57 | .25 | 66 | .29 | 75 |
| 43′ to 47′ incl | .13 | 21 | .14 | 26 | | 32 | .18 | 39 | .20 | 47 | .23 | 54 | .26 | 63 | .30 | 73 |
| 48′ to 52′ incl | .14 | 20 | .15 | 25 | | 31 | .20 | 37 | .22 | 46 | .25 | 53 | .28 | 61 | .32 | 71 |
| 53′ to 57′ incl | ------- | ---------- | ------- | ---------- | ------- | ---------- | .22 | 36 | .24 | 42 | .27 | 51 | .30 | 59 | .34 | 68 |
| 58′ to 62′ incl | ------- | ---------- | ------- | ---------- | ------- | ---------- | .24 | 34 | .26 | 41 | .29 | 48 | .32 | 57 | .36 | 66 |
| 63′ to 67′ incl | ------- | ---------- | ------- | ---------- | ------- | ---------- | .26 | 32 | .28 | 39 | .31 | 47 | .34 | 55 | .38 | 64 |
| 68′ to 72′ incl | ------- | ---------- | ------- | ---------- | ------- | ---------- | .28 | 30 | .30 | 37 | .33 | 45 | .36 | 53 | .41 | 61 |
| 73′ to 77′ incl | ------- | ---------- | ------- | ---------- | ------- | ---------- | .31 | 29 | .33 | 36 | .36 | 44 | .39 | 52 | .45 | 60 |

1. For maximum prices on Northern Pine piling see footnote 10.

TABLE 5—ROUGH PEELED WHITE OAK PILING—PRODUCED IN ALL "EASTERN" TERRITORY—MAXIMUM PRICES AND WEIGHTS PER LINEAL FOOT; NAVY SPECIFICATIONS 39 P–14A CLASS 2 (F. O. B. CARS PRODUCER'S LOADING-OUT POINT OR DUMPED, BOOMED, RAFTED, AND PREPARED FOR TOWING IN TOWABLE WATERS)

| Lengths | 9″ minimum butt including 8″–1′ to 8″–6′ | | 10″ minimum butt including 9″–1′ to 9″–6′ | | 11″ minimum butt including 10″–1′ to 10″–6′ | | 12″ minimum butt including 11″–1′ to 11″–6′ | | 13″ minimum butt including 12″–1′ to 12″–6′ | | 14″ minimum butt including 13″–1′ to 13″–6′ | | 15″ minimum butt including 14″–1′ to 14″–6′ | | 16″ minimum butt including 15″–1′ to 15″–6′ | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights |
| 15′ to 17′ incl | $0.15 | 31 | $0.16 | 37 | $0.18 | 45 | $0.21 | 53 | $0.23 | 62 | $0.26 | 72 | $0.31 | 83 | ------- | ---------- |
| 18′ to 22′ incl | .15 | 29 | .16 | 36 | .18 | 43 | .21 | 51 | .23 | 60 | .26 | 70 | .31 | 80 | ------- | ---------- |
| 23′ to 27′ incl | .15 | 27 | .16 | 34 | .18 | 41 | .21 | 49 | .23 | 58 | .26 | 67 | .31 | 77 | ------- | ---------- |
| 28′ to 32′ incl | .15 | 26 | .16 | 33 | .18 | 39 | .21 | 47 | .23 | 56 | .26 | 65 | .31 | 75 | $0.36 | 85 |
| 33′ to 37′ incl | .15 | 25 | .16 | 31 | .18 | 38 | .21 | 45 | .23 | 53 | .26 | 62 | .31 | 72 | .36 | 85 |
| 38′ to 42′ incl | .16 | 23 | .18 | 29 | .21 | 36 | .23 | 44 | .25 | 51 | .29 | 60 | .33 | 70 | .38 | 80 |
| 43′ to 47′ incl | .21 | 22 | .23 | 28 | .25 | 34 | .28 | 42 | .30 | 49 | .33 | 59 | .38 | 68 | .43 | 78 |
| 48′ to 52′ incl | .26 | 21 | .29 | 27 | .31 | 33 | .33 | 40 | .36 | 48 | .39 | 56 | .44 | 66 | .48 | 75 |
| 53′ to 57′ incl | ------- | ---------- | ------- | ---------- | ------- | ---------- | .38 | 39 | .40 | 47 | .44 | 54 | .48 | 63 | .53 | 73 |
| 58′ to 62′ incl | ------- | ---------- | ------- | ---------- | ------- | ---------- | .47 | 37 | .49 | 45 | .51 | 52 | .58 | 61 | .62 | 70 |
| 63′ to 67′ incl | ------- | ---------- | ------- | ---------- | ------- | ---------- | ------- | ---------- | .60 | 44 | .63 | 51 | .68 | 59 | .72 | 68 |
| 68′ to 72′ incl | ------- | ---------- | ------- | ---------- | ------- | ---------- | ------- | ---------- | ------- | ---------- | ------- | ---------- | .78 | 58 | .83 | 66 |

TABLE 6—ROUGH PEELED MIXED OAK PILING—PRODUCED IN ALL "EASTERN" TERRITORY—MAXIMUM PRICES AND WEIGHTS PER LINEAL FOOT; NAVY SPECIFICATIONS 39 P–14A CLASS 2 (F. O. B. CARS PRODUCER'S LOADING-OUT POINT OR DUMPED, BOOMED, RAFTED AND PREPARED FOR TOWING IN TOWABLE WATERS)

| Lengths | 9″ minimum butt including 8″–1′ to 8″–6′ | | 10″ minimum butt including 9″–1′ to 9″–6′ | | 11″ minimum butt including 10″–1′ to 10″–6′ | | 12″ minimum butt including 11″–1′ to 11″–6′ | | 13″ minimum butt including 12″–1′ to 12″–6′ | | 14″ minimum butt including 13″–1′ to 13″–6′ | | 15″ minimum butt including 14″–1′ to 14″–6′ | | 16″ minimum butt including 15″–1′ to 15″–6′ | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights | Price | Weights |
| 15′ to 17′ incl | $0.13 | 31 | $0.14 | 37 | $0.16 | 45 | $0.18 | 53 | $0.20 | 62 | $0.23 | 72 | $0.27 | 83 | ------- | ---------- |
| 18′ to 22′ incl | .13 | 29 | .14 | 36 | .16 | 43 | .18 | 51 | .20 | 60 | .23 | 70 | .27 | 80 | ------- | ---------- |
| 23′ to 27′ incl | .13 | 27 | .14 | 34 | .16 | 41 | .18 | 49 | .20 | 58 | .23 | 67 | .27 | 77 | ------- | ---------- |
| 28′ to 32′ incl | .13 | 26 | .14 | 33 | .16 | 39 | .18 | 47 | .20 | 56 | .23 | 65 | .27 | 75 | $0.31 | 85 |
| 33′ to 37′ incl | .13 | 25 | .14 | 31 | .16 | 38 | .18 | 45 | .20 | 53 | .23 | 62 | .27 | 72 | .31 | 83 |
| 38′ to 42′ incl | .14 | 23 | .16 | 29 | .18 | 36 | .20 | 44 | .22 | 51 | .25 | 60 | .29 | 70 | .33 | 80 |
| 43′ to 47′ incl | .18 | 22 | .20 | 28 | .22 | 34 | .24 | 42 | .26 | 49 | .29 | 58 | .33 | 68 | .37 | 78 |
| 48′ to 52′ incl | .23 | 21 | .25 | 27 | .27 | 33 | .29 | 40 | .31 | 48 | .34 | 56 | .38 | 66 | .42 | 75 |
| 53′ to 57′ incl | ------- | ---------- | ------- | ---------- | ------- | ---------- | .33 | 39 | .35 | 47 | .38 | 54 | .42 | 63 | .46 | 73 |
| 58′ to 62′ incl | ------- | ---------- | ------- | ---------- | ------- | ---------- | .41 | 37 | .43 | 45 | .46 | 52 | .50 | 61 | .54 | 70 |
| 63′ to 67′ incl | ------- | ---------- | ------- | ---------- | ------- | ---------- | ------- | ---------- | .52 | 44 | .55 | 51 | .59 | 59 | .63 | 68 |
| 68′ to 72′ incl | ------- | ---------- | ------- | ---------- | ------- | ---------- | ------- | ---------- | ------- | ---------- | ------- | ---------- | .68 | 58 | .72 | 66 |

1. For peeling addition see footnotes 4 to 7 inclusive below.

NOTES: Applying to Tables 1, 2, 3, 4, 5, and 6.

1. If a top diameter is specified, or where the top diameter controls, the butt size shall be determined by adding 1 inch for each 10 feet or fraction thereof.

2. To arrive at the maximum price for piling with a minimum diameter at a specified point more than 6 feet from the butt:

(a) Convert this diameter to a diameter 6 feet from the butt by adding 1" for each 10 feet or fraction thereof by which the distance from the butt to the specified point exceeds 6 feet.

(b) Select the maximum price in the tables applicable to the diameter 6 feet from the butt determined in (a) above.

For example: (i) A pile measuring 12" 7 feet from the butt would be figured as follows:

| | *Inches* |
|---|---|
| Diameter 7' from butt | 12 |
| 7' exceeds 6' by 1'. | |
| Add for 1' (fraction of 10') | 1 |
| Diameter 6' from butt | 13 |

Maximum price found under column headed 14" minimum butt, which includes price for 13" 6 feet from the butt.

(ii) A 70' pile measuring 12" one quarter of the length from the butt would be figured as follows:

| | |
|---|---|
| Diameter 17½' from the butt (¼ of 70') | 12 |
| 17½' exceeds 6' by 11½'. | |
| Add for 10' | 1 |
| Add for 1½' (fraction of 10') | 1 |
| Diameter 6' from butt | 14 |

Maximum price found under column headed 15" minimum butt, which includes price for 14" 6 feet from butt.

3. For all specified length groups below, the lengths will be fairly evenly distributed in consecutive lengths within the group.

(a) For orders where the specified lengths fall within each of 4 or more consecutive length groups, no addition.

(b) For orders where the specified lengths fall within each of 3 consecutive length groups, add 0.005 per lin. ft.

(c) For orders where the specified lengths fall within each of 2 consecutive length groups, add 0.01 per lin. ft.

(d) For orders of more than one length where the specified lengths fall entirely within one length group, add 0.015 per lin. ft.

(e) For single specified length orders, add 0.02 per lin. ft.

(f) For random length orders where the purchaser specifies restricted loading, the seller may add ⅔ of the proper specified length addition above. Additions allowed must be shown separately on invoices.

4. For Clean Peeled Pine, Cypress and Mixed Woods up to and including: 13" minimum butt, add 0.01 per lin. ft. 14" minimum butt and larger, add 0.02 per lin. ft.

5. For unpeeled Pine, Cypress, and Mixed Woods up to and including: 13" minimum butt, deduct 0.01 per lin. ft. 14" minimum butt and larger, deduct 0.02 per lin. ft.

6. For Clean Peeled Oak, add 0.04 per lin. ft.

7. For unpeeled Oak, deduct 0.02 per lin. ft.

8. Heading, Pointing or Chamfering, 45' or under 0.25 per pile. Over 45' 0.40 per pile.

9. For mixed orders of Pine and Cypress containing at least 25% Pine, the Cypress prices for the appropriate zone may be used and transportation may be computed using the Pine estimated weights.

10. For Northern Pine Piling produced in Northeastern Zone, the maximum prices and weights shown in Table 4 shall apply.

TABLE 7—YELLOW PINE ROUGH PEELED POLES—AMERICAN STANDARD ASSOCIATION SPECIFICATIONS

[Maximum prices and weights per pole. F. O. B. cars producer's loading-out point or dumped, boomed, rafted and prepared for towing in towable waters]

| Length | Class | Weight per pole | Price per pole | |
|---|---|---|---|---|
| | | | Southeastern zone (see table No. 2) | Northeastern zone (see table No. 1) |
| 16 feet | 5 | 234 | $0.80 | $1.00 |
| | 6 | 202 | .70 | .90 |
| | 7 | 165 | .55 | .70 |
| | 8 | 188 | .65 | .80 |
| | 9 | 138 | .55 | .70 |
| | 10 | 110 | .45 | .60 |
| 18 feet | 3 | 381 | 1.30 | 1.60 |
| | 4 | 325 | 1.15 | 1.45 |
| | 5 | 275 | .95 | 1.20 |
| | 6 | 234 | .85 | 1.05 |
| | 7 | 188 | .75 | .95 |
| | 8 | 211 | .80 | 1.00 |
| | 9 | 151 | .70 | .90 |
| | 10 | 133 | .60 | .75 |
| 20 feet | 1 | 710 | 2.00 | 2.50 |
| | 2 | 564 | 1.75 | 2.00 |
| | 3 | 467 | 1.50 | 1.90 |
| | 4 | 394 | 1.35 | 1.70 |
| | 5 | 330 | 1.15 | 1.45 |
| | 6 | 284 | 1.00 | 1.25 |
| | 7 | 234 | .85 | 1.05 |
| | 8 | 261 | .90 | 1.10 |
| | 9 | 202 | .80 | 1.00 |
| | 10 | 161 | .70 | .90 |
| 22 feet | 1 | 825 | 2.25 | 2.75 |
| | 2 | 674 | 2.00 | 2.50 |
| | 3 | 559 | 1.75 | 2.00 |
| | 4 | 463 | 1.60 | 1.90 |
| | 5 | 398 | 1.40 | 1.70 |
| | 6 | 339 | 1.25 | 1.50 |
| | 7 | 284 | 1.00 | 1.25 |
| | 8 | 307 | 1.15 | 1.45 |
| | 9 | 234 | 1.00 | 1.25 |
| | 10 | 188 | .85 | 1.05 |
| 25 feet | 1 | 990 | 3.00 | 3.50 |
| | 2 | 811 | 2.50 | 3.00 |
| | 3 | 674 | 2.25 | 2.75 |
| | 4 | 573 | 2.00 | 2.50 |
| | 5 | 491 | 1.75 | 2.00 |
| | 6 | 422 | 1.50 | 1.80 |
| | 7 | 344 | 1.25 | 1.50 |
| | 8 | 389 | 1.35 | 1.60 |
| | 9 | 289 | 1.10 | 1.40 |
| | 10 | 234 | .90 | 1.10 |
| 30 feet | 1 | 1,279 | 4.50 | 5.50 |
| | 2 | 1,082 | 3.75 | 4.50 |
| | 3 | 921 | 3.25 | 4.00 |
| | 4 | 784 | 3.00 | 3.50 |
| | 5 | 660 | 2.25 | 2.75 |
| | 6 | 550 | 2.00 | 2.50 |
| | 7 | 454 | 1.60 | 1.90 |
| | 8 | 513 | 1.75 | 2.00 |
| | 9 | 371 | 1.30 | 1.60 |
| 35 feet | 1 | 1,568 | 5.50 | 6.50 |
| | 2 | 1,343 | 5.00 | 6.00 |
| | 3 | 1,155 | 4.25 | 5.00 |
| | 4 | 1,004 | 4.00 | 4.75 |
| | 5 | 862 | 3.25 | 4.00 |
| | 6 | 743 | 2.50 | 3.00 |
| 35 feet—Continued. | 7 | 646 | $2.25 | $2.75 |
| | 8 | 697 | 2.50 | 3.00 |
| 40 feet | 1 | 1,884 | 7.50 | 9.00 |
| | 2 | 1,623 | 6.25 | 7.50 |
| | 3 | 1,403 | 5.75 | 7.00 |
| | 4 | 1,219 | 4.75 | 5.75 |
| | 5 | 1,059 | 4.00 | 4.75 |
| | 6 | 921 | 3.50 | 4.25 |
| | 7 | 807 | 3.00 | 3.50 |
| 45 feet | 1 | 2,223 | 10.00 | 12.00 |
| | 2 | 1,911 | 8.25 | 10.00 |
| | 3 | 1,664 | 7.50 | 9.00 |
| | 4 | 1,444 | 6.25 | 7.50 |
| | 5 | 1,274 | 5.30 | 6.50 |
| | 6 | 1,114 | 4.75 | 5.75 |
| | 7 | 976 | 4.25 | 5.00 |
| 50 feet | 1 | 2,585 | 12.25 | 13.50 |
| | 2 | 2,214 | 10.75 | 11.75 |
| | 3 | 1,925 | 9.00 | 10.00 |
| | 4 | 1,687 | 8.50 | 9.50 |
| | 5 | 1,494 | 7.00 | 7.75 |
| | 6 | 1,329 | 6.50 | 7.25 |
| | 7 | 1,169 | 5.50 | 6.00 |
| 55 feet | 1 | 2,993 | 15.75 | 15.75 |
| | 2 | 2,567 | 14.00 | 14.00 |
| | 3 | 2,200 | 12.00 | 12.00 |
| | 4 | 1,934 | 11.00 | 11.00 |
| | 5 | 1,719 | 10.00 | 10.00 |
| | 6 | 1,563 | 8.25 | 8.25 |
| 60 feet | 1 | 3,451 | 20.50 | 20.50 |
| | 2 | 2,943 | 17.50 | 17.50 |
| | 3 | 2,512 | 16.00 | 16.00 |
| | 4 | 2,186 | 15.00 | 15.00 |
| | 5 | 1,953 | 14.00 | 14.00 |
| | 6 | 1,801 | 13.00 | 13.00 |
| 65 feet | 1 | 4,015 | 26.25 | 26.25 |
| | 2 | 3,341 | 22.50 | 22.50 |
| | 3 | 2,814 | 20.50 | 20.50 |
| | 4 | 2,457 | 17.50 | 17.50 |
| | 5 | 2,237 | 16.50 | 16.50 |
| 70 feet | 1 | 4,620 | 33.75 | 33.75 |
| | 2 | 3,781 | 28.25 | 28.25 |
| | 3 | 3,144 | 26.25 | 26.25 |
| | 4 | 2,732 | 23.50 | 23.50 |
| | 5 | 2,488 | 21.25 | 21.25 |
| 75 feet | 1 | 5,198 | 42.50 | 42.50 |
| | 2 | 4,235 | 36.25 | 36.25 |
| | 3 | 3,506 | 31.75 | 31.75 |
| | 4 | 3,021 | 30.50 | 30.50 |
| 80 feet | 1 | 6,400 | 51.50 | 51.50 |
| | 2 | 5,170 | 44.75 | 44.75 |
| | 3 | 4,240 | 38.75 | 38.75 |
| | 4 | 3,615 | 35.75 | 35.75 |
| 85 feet | 1 | 7,200 | 64.00 | 64.00 |
| | 2 | 5,745 | 56.00 | 56.00 |
| | 3 | 4,690 | 48.50 | 48.50 |
| 90 feet | 1 | 8,140 | 75.75 | 75.75 |
| | 2 | 6,405 | 65.75 | 65.75 |
| | 3 | 5,160 | 56.00 | 56.00 |

NOTES: Applying to Table 7. 1. In all specified length groups below, the lengths will be evenly distributed.

2. For any specification of pole other than those listed herein, the seller shall determine the size A. S. A. pole having the same or nearest larger circumference 6' from the butt. This price for an A. S. A. pole shall be the tentative price so determined for the specification pole to be priced. The tentative price so determined must be submitted to the Lumber Branch according to Section 6.

3. For specified length groups, 6 or more consecutive lengths in 5 foot multiples. No addition.

4. For specified length groups, of 4 or 5 consecutive lengths in 5 foot multiples add 0.005 per lin. ft.

5. For specified length groups, of 3 consecutive lengths in 5 foot multiples add 0.01 per lin. ft.

6. For specified length groups, of 2 consecutive lengths in 5 foot multiples add 0.015 per lin. ft.

7. For specified single length, add 0.02 per lin. ft.

8. For random length orders where the purchaser specifies restricted loading, the seller may add ⅔ of the proper specified length addition above. Additions allowed by this footnote must be shown separately on invoices.

9. *For clean peeled poles.*

Classes 1, 2, and 3 or top size equivalent, add 0.02 per lin. ft.

Classes 4 to 10 inclusive or top size equivalent, add 0.01 per lin. ft.

10. *Unpeeled poles.*

Classes 1, 2, and 3 or top size equivalent, deduct 0.02 per lin. ft.

Classes 4 to 10 inclusive or top size equivalent, deduct 0.01 per lin. ft.

11. Framing of poles including roofing and, if required, two gains and boring of holes therein.

| | |
|---|---|
| All poles under 40' in length, regardless of class or top dimension, per pole | $0.15 |
| For 40' length Class 6 or top dimension equivalent and smaller, per pole | .15 |
| For 40' length Class 5 or top dimension equivalent and larger, per pole | .30 |
| For all poles longer than 40', regardless of class or top dimension, per pole | .30 |
| For each additional gain and boring of one hole therein, per gain | .06 |
| For boring of each additional hole, per hole | .02 |

12. Continuous slab gain shall be considered as multiple gains and may be priced accordingly on basis of six cents for each twelve inches of slab-gained surface including the boring of hole therein.

13. *Cut back allowances.* When requirements of the buyer exceed the available supply of the seller, for one or more sizes or lengths of pole for delivery required, the seller may cut back the most similar size pole in the 5' longer length and may charge the maximum price for the size and length pole actually used. The additions for transportation, treatment, processing, etc., on such cut back poles, shall be those additions applicable to the size and length pole ordered by the buyer, plus an addition for inbound freight computed at the difference in estimated weights times the freight rate to the concentration yards. No addition may be made for the labor included in such cutting back operations. The seller shall keep a record of such sales and show this charge as separate item as on the invoices.

TABLE 8.—CLEAN PEELED YELLOW PINE RE-INFORCING STUBS AND ANCHOR LOGS 14' AND SHORTER

(Maximum prices and weights per lineal foot. F. o. b. loading-out point or dumped, boomed, rafted and prepared for towing in towable waters)

| Minimum diameter small end | Estimated weight | Maximum price: Southeastern zone (see table 2) | Maximum price: Northeastern zone (see table 1) |
|---|---|---|---|
| 5 inches | 13 | $0.05 | $0.06 |
| 6 inches | 17 | .06 | .07 |
| 7 inches | 22 | .07 | .08 |
| 8 inches | 27 | .08 | .10 |
| 9 inches | 33 | .09 | .11 |
| 10 inches | 40 | .12 | .14 |
| 11 inches | 47 | .14 | .17 |
| 12 inches | 55 | .16 | .19 |
| 13 inches | 63 | .19 | .22 |
| 14 inches | 72 | .22 | .25 |
| 15 inches | 82 | .25 | .28 |
| 16 inches | 92 | .28 | .31 |

*Effective date.* This regulation shall become effective September 26, 1944.

NOTE: All reporting and record-keeping requirments of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of September 1944.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 44-14618; Filed, Sept. 21, 1944; 4:08 p. m.]

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## PART 1351—FOOD AND FOOD PRODUCTS

[MPR 421[1], Amdt. 15]

### FROZEN FOODS SOLD AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 421 is amended in the following respects:

1. Section 32 (b) (13) is amended to read as follows:

[1] 9 F.R. 5648, 9719, 10257, 10982.

(13) "Frozen foods" means packaged quick-frozen or cold-packed foods, including, but not limited to all fruits, berries, fruit or berry juices, and mixtures (except any of the foregoing in containers of a capacity of more than 50 pounds), vegetables, vegetable juices and mixtures, including mushrooms, dog and cat food not prepared by you for pet food, apple sauce, macaroni and spaghetti products, chop suey, gravies, pork-and-beans, soups, food products in which meat, chicken, turkey, fish or seafood are combined with other ingredients, meat stews, and corned beef hash. Excluded are frozen pies and pastries, frozen meat, poultry, fish and seafood, ice cream, sherbet and frozen confections. Quick-frozen and cold-packed frozen foods shall be considered as separate items, and priced separately.

NOTE: The 1943 pack of canned fruits and frozen fruits shall be considered different items from the 1942 pack of fruits and you must figure separate ceiling prices for each item of the 1943 pack.

2. In section 32 (c), the item "Frozen fruits, berries, fruit or berry juices, and mixtures, in containers of a capacity of 50 pounds or more", is amended to read as follows: "Frozen fruits, berries, fruit or berry juices, and mixtures, in containers of a capacity of more than 50 pounds".

This amendment shall become effective September 21, 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 44-14612; Filed, Sept. 21, 1944; 4:05 p. m.]

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## PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[1] Amdt. 27]

### CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 422 is amended in the following respects:

1. Section 38 (b) (13) is amended to read as follows:

(13) "Frozen foods" means packaged quick-frozen or cold-packed foods, sold from refrigerated cabinets or lockers, including, but not limited to all fruits, berries, fruit or berry juices, and mixtures (except any of the foregoing in containers of a capacity of more than 50 pounds), vegetables, vegetable juices and mixtures, including mushrooms, dog and cat food not prepared by you for pet food, apple sauce, macaroni and spaghetti products, chop suey, gravies, pork-and-beans, soups, food products in which meat, chicken, turkey, fish or seafood are combined with other ingredients, meat stews, and corned beef hash. Excluded are frozen pies and pastries, frozen meat, poultry, fish and seafood, ice cream, sherbert and frozen confections. Quick-frozen and cold-packed frozen foods shall be considered as separate items, and priced separately.

NOTE: The 1943 pack of canned fruits and frozen fruits shall be considered different items from the 1942 pack of fruits and you must figure separate ceiling prices for each item of the 1943 pack.

2. In section 38 (c), the item "Frozen fruits, berries, fruit or berry juices, and mixtures, in containers of a capacity of 50 pounds or more", is amended to read as follows: "Frozen fruits, berries, fruit or berry juices, and mixtures, in containers of a capacity of more than 50 pounds."

This amendment shall become effective September 21, 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 44-14611; Filed, Sept. 21, 1944; 4:05 p. m.]

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## PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,[1] Amdt. 28]

### CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN $250,000 (GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amend-

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5656, 6828, 6951, 7339, 7520, 7937, 9354, 9719, 10258, 10982.

[1] 9 F.R. 5671, 6829, 7340, 7520, 7937, 9354, 9720, 10259, 10982.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 423 is amended in the following respects:

1. Section 27 (b) (13) is amended to read as follows:

(13) "Frozen foods" means packaged quick-frozen or cold-packed foods, sold from refrigerated cabinets or lockers, including, but not limited to all fruits, berries, fruit or berry juices, and mixtures (except any of the foregoing in containers of a capacity of more than 50 pounds), vegetables, vegetable juices and mixtures, including mushrooms, dog and cat food not prepared by you for pet food, apple sauce, macaroni and spaghetti products, chop suey, gravies, pork-and-beans, soups, food products in which meat, chicken, turkey, fish or seafood are combined with other ingredients, meat stews, and corned beef hash. Excluded are frozen pies and pastries, frozen meat, poultry, fish and seafood, ice cream, sherbet and frozen confections. Quick-frozen and cold-packed frozen foods shall be considered as separate items, and priced separately.

NOTE: The 1943 pack of canned fruits and frozen fruits shall be considered different items from the 1942 pack of fruits and you must figure separate ceiling prices for each item of the 1943 pack.

2. In section 27 (c), the item "Frozen fruits, berries, fruit or berry juices, and mixtures, in containers of a capacity of 50 pounds or more", is amended to read as follows: "Frozen fruits, berries, fruit or berry juices, and mixtures, in containers of a capacity of more than 50 pounds."

This amendment shall become effective September 21, 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 44-14613; Filed, Sept. 21, 1944; 4:05 p. m.]

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## PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 335,[1] Amdt. 6]

### PEANUTS AND PEANUT BUTTER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4 (a) is amended by adding the following sub-paragraphs:

(4) Processors may add $0.015 per pound to their maximum price figured according to preceding provisions of this paragraph for Spanish type salted peanuts in bulk, but in no event shall the maximum price so adjusted exceed $0.20 per pound.

(5) "Salted peanuts in bulk" means salted peanuts sold in containers of one pound capacity or over.

This amendment shall become effective September 21, 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 44-14615; Filed, Sept. 21, 1944; 4:06 p. m.]

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## PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 153]

### MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7901 is amended by adding the following sentence: "However, no ration for use in connection with airplanes shall be issued for a period extending beyond October 31, 1944.

2. Section 1394.7903 is amended by adding the following sentence: "However, if the use is in connection with an airplane the need shall be shown for a period beginning with the date on which the ration is required and ending October 31, 1944.

3. In § 1394.7904 (a) the text immediately preceding subparagraph (1) is amended to read as follows:

The Board shall determine the amount of gasoline required for the three or six-month period referred to in § 1394.7903 (or in the case of airplanes, for a period ending October 31, 1944), and, subject to the provisions of paragraphs (b), (c) and (d) of this section, shall issue to the applicant a sufficient number of Class E or R coupons to enable the applicant to acquire the amount of gasoline determined by the Board to be necessary for such period, subject to the following provisions:

4. Section 1394.8102 (e) is amended by adding the following sentence: "However, every non-highway ration issued for use in an airplane shall expire on November 1, 1944.

This amendment shall become effective September 21, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 21st day of September 1944.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 44-14616; Filed, Sept. 21, 1944; 4:06 p. m.]

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## PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 27]

### FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5726 (a) is amended by adding after the period at the end thereof the following sentence: "However, if a dealer, pursuant to § 1394.5737, has surrendered his excess evidences together with the required statement of explanation, he is not required to surrender such evidences or make a statement of explanation as to such excess under this section."

2. Section 1394.5732 (e) is amended by inserting after the phrase "are set forth in sections", the following phrase "1394.5654 (a) (1) (notice to consumers of value of unexpired coupons), 1394.5654 (d) (6) (i) (receipts for deposited coupon sheets),"

3. Section 1394.5732 (f) is added as follows:

(f) Every dealer or primary supplier who is required to keep records under the various provisions of this order for a period of two (2) years from the time when he was required to make the records shall nevertheless, keep the records until further notice by amendment of this order.

4. Section 1394.5737 is added as follows:

§ 1394.5737 *Semi-annual statement by dealers.* (a) On or before the 25th day of October 1944 and thereafter on or before the 25th day of April and October in each year every dealer, having any registered dealer establishment with a registered fuel oil storage capacity (as defined in § 1394.5703) of 1000 gallons or more, shall prepare a statement, giving the required information, on OPA Form R-1198, as of 12:01 a. m. on the first day of the month in which the statement is required, for each such establishment and shall file that statement with the District Office having jurisdiction over the Board with which each such establishment is registered. In the event that the dealer has, for any such establishment, evidences in excess of the amount he may properly have as of such date, under this order, he shall surrender to the District Office, at the time of filing this statement, evidences for each such establishment equal in gallonage value to such excess, together with a statement explaining the manner in which the excess occurred.

(b) The provisions of paragraph (a) of this section may, by order of the District Director effective in such area as he may designate, be extended to include any class (based only on registered fuel oil storage capacity) of registered dealer establishments whose registered fuel oil storage capacity is not less than 250

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 6834, 10264, 10987, 12445, 14852; 9 F.R. 10263.

[1] 8 F.R. 15937.

[1] 9 F.R. 2357.

gallons. The order may require the statement to be filed on the dates specified in paragraph (a) or on or before the 25th day of any other months as of 12:01 a. m. of the first day of such months, but may not require any dealer to file the statement more often than once every six months.

This amendment shall become effective on October 1, 1944.

NOTE: All reporting and record keeping requirements of this amendment to Revised Ration Order 11 have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

Issued this 22d day of September 1944.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 44-14661; Filed, Sept. 22, 1944; 11:33 a. m.]

## Chapter XVIII—Office of Economic Stabilization

[Directive 8]

### PART 4004—PRICE STABILIZATION; MAXIMUM PRICES

#### APPLES FOR PROCESSING—1944 CROP

The War Food Administrator on September 1, 1944 and the Price Administrator on September 21, 1944, having submitted certain information and recommendations to me with reference to establishing ceiling prices for processed apples of the 1944 crop based upon grower prices, it is hereby found and determined that the purposes of the hold-the-line order, specifically, the policy established by Executive Orders 9250 and 9328 (3 CFR Cum. Supp., pp. 1213-1267) will be effectuated by this directive.

The Office of Price Administration is authorized and directed:

1. To establish ceiling prices for processed apples of the 1944 crop based upon grower prices for apples for processing at the growers' customary delivery points, but in no case to exceed the following:

| | Class A varieties | Class B varieties |
|---|---|---|
| | *Per 100 pounds* | *Per 100 pounds* |
| U. S. No. 1 cannery grade, 2¼ inch and up (and "C" grade as established under Washington and Oregon State grades) | $3.10 | $2.50 |
| U. S. No. 2 cannery grade, 2¼-inch and up | 1.65 | 1.50 |
| Apples which grade less than U. S. No. 2 cannery grade, 2¼-inch size | 1.00 | 1.00 |

The term "Class A Varieties" is used to designate the following varieties:

New York—Baldwin, R. I. Greening, Northern Spy, Twenty Ounce, Northwestern Greening, Grimes Golden, Stayman, King, and Stark.

Pennsylvania, Maryland, West Virginia, and Virginia—York Imperial, Stayman, Golden Delicious, and Grimes Golden.

Oregon and Washington—Winesap, Spitzenberg, Arkansas Black, Newton, Rome Beauty, Stayman, and Jonathan.

California—Gravenstein, Bellflower, Newton, Baldwin, Northwest Greening, R. I. Greening, Arkansas Black, Black Twig, Jonathan, Golden Delicious, Rome Beauty, and Spitzenberg.

All other States—Golden Delicious Northern Spy, R. I. Greening, Grimes Golden, Stayman, Rome Beauty, Baldwin, Wegener, Northwest Greening, Twenty Ounce, and Stark.

The designation "Class B Varieties" includes all other varieties of apples used for processing.

2. To revoke that part of Maximum Price Regulation No. 425 relating to apples.

(E.O. 9250 and E.O. 9328)

Effective date: September 21, 1944.

Issued this 21st day of September 1944.

FRED M. VINSON,
*Director.*

[F. R. Doc. 44-14622; Filed, Sept. 21, 1944; 4:20 p. m.]

## TITLE 36—PARKS AND FORESTS

### Chapter II—Forest Service

[Reg. T-10, Amdt.]

### PART 261—TRESPASS

#### SETTLEMENT OF TRESPASS CASES

By virtue of the authority vested in the Secretary of Agriculture by the Act of June 4, 1897 (30 Stat. 35; 16 U.S.C. 551), and the Act of February 1, 1905 (33 Stat. 628; 16 U.S.C. 472), the sixth sentence of Regulation T-10 of the rules and regulations governing the occupancy, use, protection and administration of the national forests, which constitutes § 261.12, Part 261, Chapter II, Title 36, Code of Federal Regulations (as amended February 29, 1940; 5 F.R. 933 and April 27, 1944; 9 F.R. 4542), is hereby amended to read as follows:

§ 261.12 *Settlement of trespass cases.* * * * Every civil trespass requiring the institution of legal proceedings which involves a claim in any amount for forest fire damage and suppression expenditures, or which involves a new or unusual question of law or policy or a claim for more than $1000, shall be reported through the Chief of the Forest Service to the Solicitor for reference to the Attorney General for appropriate action.

* * * * *

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in the City of Washington, this 21st day of September 1944.

[SEAL] CHARLES F. BRANNAN,
*Acting Secretary of Agriculture.*

[F. R. Doc. 44-14610; Filed, Sept. 21, 1944; 8:25 p. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter II—Office of Defense Transportation

[General Order ODT 7, Revised, Amdt. 1]

### PART 502—DIRECTION OF TRAFFIC MOVEMENT

#### MOVEMENT OF TRAFFIC IN RAILWAY TANK CARS

Pursuant to Executive Order 8989, as amended, *It is hereby ordered,* That § 502.105 of General Order ODT 7, Revised (7 F.R. 10484) be, and it hereby is, amended to read as follows:

§ 502.105 *Permit required.* (a) Unless authorized by a general or special permit issued by the Office of Defense Transportation, no person shall offer for shipment and no carrier shall accept for shipment, forward, or transport, any loaded tank car containing a commodity to be transported to any destination in the United States or a foreign country less than 100 miles from the shipping point in the United States (such distance being measured over the shortest available published rail tariff route, whether billed or transported over such route or otherwise).

(b) Application for permit shall be made in writing to the Division of Tank Car Service, Liquid Transport Department, Office of Defense Transportation, Washington 25, D. C., and shall be in such form and contain such information as the Office of Defense Transportation shall require.

(c) The provisions of this § 502.105 shall not apply to a tank car containing a commodity consigned by or to the Army, Navy, Marine Corps, Maritime Commission, or War Shipping Administration.

This Amendment 1 to General Order ODT 7, Revised, shall become effective on September 25, 1944.

(E. O. 8989, 6 F.R. 6725 and 8 F.R. 14183)

Issued at Washington, D. C., this 22d day of September 1944.

J. M. JOHNSON,
*Director,*
*Office of Defense Transportation.*

[F. R. Doc. 44-14605; Filed, Sept. 21, 1944; 2:02 p. m.]

## *Notices*

### DEPARTMENT OF THE INTERIOR.

#### Bureau of Mines.

C. G. KOONTZ

#### ORDER REVOKING LICENSES AND DIRECTING THEIR SURRENDER

To: C. G. Koontz, R. R. No. 2, Clarksville, Arkansas. Based upon the records in this matter, including your answer, I make the following findings of fact:

1. On August 25, 1944, a specification of charges against you, setting forth violations of the Federal Explosives Act

(55 Stat. 863), as amended, and the regulations pursuant thereto, of which you were accused, was mailed to you giving you notice to mail an answer within 15 days from August 25, 1944, answering the charges against you and requesting an oral hearing if you wished.

2. Your answer, dated September 7, 1944, was received on September 9, 1944, and has been considered. No other communication has been received from you. You have not requested an oral hearing.

3. All of the accusations against you which are set out in the specification of charges are true.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act and the regulations thereunder, I hereby order:

1. That all licenses issued to you under the Federal Explosives Act be and they are hereby revoked as of midnight, September 30, 1944.

2. That prior to midnight, September 30, 1944, you shall surrender all licenses issued to you under the Federal Explosives Act and all copies thereof by mailing or delivering them to G. M. Kintz, Supervising Engineer, United States Bureau of Mines, 1416 Gulf States Building, Dallas 1, Texas.

Failure to comply with the provisions of this order or possession by you of explosives or ingredients of explosives after midnight, September 30, 1944, will constitute a violation of the Federal Explosives Act punishable by a fine of not more than five thousand dollars ($5,000), or by imprisonment for not more than one year, or by both such fine and imprisonment.

This order shall be published in the FEDERAL REGISTER.

Dated at Washington, D. C., this 18th day of September, 1944.

R. R. SAYERS,
*Director.*

[F. R. Doc. 44-14630; Filed, Sept. 22, 1944; 9:33 a. m.]

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### Office of the Secretary.

[Order 1992]

LILLYBROOK COAL CO., ET AL.

POSSESSION OF COAL MINES

Pursuant to the provisions of Executive Order No. 9483, issued by the President of the United States on September 19, 1944, Government possession is hereby taken, effective forthwith, of each and all of the mines listed in the appendix attached hereto and made a part hereof, and of any and all real and personal property and other assets used in connection with the operation thereof.

The regulations for the operation of coal mines under government control, as amended (8 F.R. 6655, 10712, 11344, 17339) heretofore issued by the Secretary of the Interior shall be applicable to the properties possession of which is taken by this Order, except as may be otherwise directed.

Each of the persons whose name is listed in the appendix is hereby designated as operating manager for the United States, for the properties as indicated in the appendix. As Operating Manager for the United States, each is authorized and directed to operate any and all such properties in accordance with the aforementioned regulations for the operation of coal mines under Government control and such further directions as may from time to time be issued, and to do all things necessary and appropriate for the operation of such properties and for the production, distribution and sale of their products.

The operating manager for the United States shall forthwith fly the flag of the United States at each such property, and shall display conspicuously thereat copies of a poster, reading as follows:

NOTICE: In accordance with the proclamation of the President of the United States, Government possession of the mines, collieries and preparation facilities of this mining company has been taken by order of the Secretary of the Interior.

HAROLD L. ICKES,
*Secretary of the Interior.*

Dated: September 19, 1944.

[SEAL] HAROLD L. ICKES,
*Secretary of the Interior.*

APPENDIX

*Name of Mine and Name of Operating Manager for the United States*

Affinity and Big Stick Mines, Lillybrook Coal Co., Affinity, W. Va.; E. S. Pugh.

Edwight Nos. 1 and 6, Raleigh Wyoming Mining Co., Edwight, W. Va.; L. T. Putman.

Glen White Mine, Eastern Gas and Fuel Associates, Koppers Coal Division, Glen White, W. Va.; L. C. Campbell.

Jamison No. 9 Mine, Jamison Coal and Coke Co., Farmington, W. Va.; Ralph E. Jamison.

Consolidation No. 32 Mine, Consolidation Coal Co., Owings, W. Va.; Geo. H. Love.

Consolidation No. 63 Mine, Consolidation Coal Co., Monongah, W. Va.; Geo. H. Love.

Consolidation No. 93 Mine, Consolidation Coal Co., Jordan, W. Va.; Geo. H. Love.

[F. R. Doc. 44-14629; Filed, Sept. 22, 1944; 9:33 a. m.]

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## DEPARTMENT OF AGRICULTURE.

### Rural Electrification Administration.

[Administrative Order 857]

ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 7, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

| Project designation: | | *Amount* |
|---|---|---|
| Minnesota 5070G3 | Hennepin | $230,000 |

HARRY SLATTERY,
*Administrator.*

[F. R. Doc. 44-14636; Filed, Sept. 22, 1944; 11:12 a. m.]

## DEPARTMENT OF LABOR.

### Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, July 17, 1944 (9 F.R. 7125).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Husin Shirt Company, 14-16 Rose Street, Ephrata, Pennsylvania; dress shirts; 10 per-

cent (T); effective September 16, 1944, expiring September 15, 1945.

Southland Manufacturing Company, Mobile and Grady Streets, Montgomery, Alabama; Navy and civilian shirts; 15 percent (AT); effective September 19, 1944, expiring March 18, 1945.

HOSIERY INDUSTRY

Mauney Hosiery Company, Kings Mountain, North Carolina; seamless hosiery; 5 learners (T); effective September 15, 1944, expiring September 14, 1945.

TELEPHONE INDUSTRY

National Trail Telephone Company, St. Elmo, Illinois; to employ learners as commercial switchboard operators at its St. Elmo exchange, located at St. Elmo, Illinois; effective September 15, 1944, expiring September 14, 1945.

National Trail Telephone Company, Altamont, Illinois; to employ learners as commercial switchboard operators at its Altamont exchange, located at Altamont, Illinois; effective September 15, 1944, expiring September 14, 1945.

West Iowa Telephone Company, Anita, Iowa; to employ learners as commercial switchboard operators at its Anita exchange, located at Anita, Iowa; effective September 16, 1944, expiring September 15, 1945.

TEXTILE INDUSTRY

Pelzer Mills, Pelzer, South Carolina; chemical warfare cloth, wide sheeting, surgical gauze, poplin, diapers, adhesive tape backing; 3 percent (T); effective September 23, 1944, expiring September 22, 1945.

CIGAR INDUSTRY

Jose E. Reyes & Company, 108 E. Jefferson Street, Quincy, Florida; hand made cigars; 10 learners (E); hand rolling and hand bunching for a learning period of 960 hours at 30 cents per hour for the first 480 hours, and 35 cents per hour for the remaining 480 hours; cigar packing for a learning period of 320 hours at 30 cents per hour; effective September 19, 1944, expiring March 18, 1945.

Signed at New York, New York, this 20th day of September 1944.

PAULINE C. GILBERT,
*Authorized Representative of the Administrator.*

[F. R. Doc. 44-14627; Filed, Sept. 21, 1944; 4:42 p. m.]

## FEDERAL POWER COMMISSION.

[Project No. 1256]

LOUP RIVER PUBLIC POWER DISTRICT

ORDER GRANTING REHEARING

SEPTEMBER 19, 1944.

Upon application filed September 11, 1944, by Loup River Public Power District for rehearing of the Commission's order of August 15, 1944, denying an application for exemption from payment of annual charges due under the license for Project No. 1256 for the calendar year 1943;

The Commission finds that: The licensee should have further opportunity to state completely the grounds upon which it claims exemption from the payment of annual charges due under the license for Project No. 1256 for the year 1943;

*It is ordered*, That: (a) The application for rehearing be and it is hereby granted, and the order of August 15, 1944, requiring the payment of annual charges for the year ended December 31, 1943, in the amount of $3,948.73 be and it is hereby stayed, pending the final determination of the application for exemption;

(b) A hearing be held on the questions presented on November 28, 1944, at 10:00 a. m., in the hearing room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
*Secretary.*

[F. R. Doc. 44-14632; Filed, Sept. 22, 1944; 10:50 a. m.]

[Project No. 1417]

CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT

ORDER GRANTING REHEARING

SEPTEMBER 19, 1944.

Upon application filed September 12, 1944, by The Central Nebraska Public Power and Irrigation District for rehearing of the Commission's order of August 15, 1944, denying an application for exemption from payment of annual charges due under the license for Project No. 1417 for the calendar year 1943;

The Commission finds that:

The licensee should have further opportunity to state completely the grounds upon which it claims exemption from the payment of annual charges due under the license for Project No. 1417 for the calendar year 1943;

*It is ordered*, That: (a) The application for rehearing be and it is hereby granted, and the order of August 15, 1944, requiring the payment of annual charges for the year ended December 31, 1943, in the amount of $7,344.10 be and it is hereby stayed, pending the final determination of the application for exemption;

(b) A hearing be held on the questions presented on November 28, 1944, at 10:00 a. m., in the hearing room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
*Secretary.*

[F. R. Doc. 44-14633; Filed, Sept. 22, 1944; 10:51 a. m.]

## OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 341]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ABERDEEN AND IPSWICH, S. D.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be sub-

[1] Filed as part of the original document.

ject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 26, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 22d day of September 1944.

J. M. JOHNSON,
*Director,*
*Office of Defense Transportation.*

APPENDIX 1

G. & P. Transportation Co., Inc., Aberdeen, S. Dak.

J. Howard Lass, doing business as Ipswich Truck Line, Ipswich, S. Dak.

[F. R. Doc. 44-14606; Filed, Sept. 21, 1944; 2:02 p. m.]

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[Supp. Order ODT 20A-179]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN QUINCY, ILL., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Quincy, Illinois, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Quincy, Illinois, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-179" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Quincy, Illinois.

8. This order shall become effective September 29, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 22d day of September 1944.

J. M. JOHNSON,
*Director,*
*Office of Defense Transportation.*

APPENDIX 1

Anthony Badamo, doing business as Yellow Cab Co., 2230 State Street, Quincy, Illinois.

Douglas P. Borden, doing business as Quincy Cab Co., 511 Hampshire St., Quincy, Illinois.

[F. R. Doc. 44-14607; Filed, Sept. 21, 1944; 2:02 p. m.]

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[Gen. Assignment Order ODT 7, Rev. 2, Revocation]

MOVEMENT OF TRAFFIC IN RAILWAY TANK CARS

Pursuant to Executive Order 8989, as amended, General Assignment Order ODT 7, Revised-2 (8 F.R. 16670), providing for the assignment of tank cars in eastern petroleum service, is hereby revoked, effective September 25, 1944.

(E.O. 8989, 6 F.R. 6725, 8 F.R. 14183)

Issued at Washington, D. C., this 22d day of September 1944.

J. M. JOHNSON,
*Director,*
*Office of Defense Transportation.*

[F. R. Doc. 44-14604; Filed, Sept. 21, 1944; 2:02 p. m.]

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[Supp. Order ODT 25A-1, Amdt. 1]

COMMON CARRIERS

OPERATIONS BETWEEN ASHTABULA, OHIO, AND KENOSHA, WIS.

Pursuant to the provisions of § 502.79 of General Order ODT 25A, as amended, (8 F.R. 7778, 9 F.R. 4632), *It is hereby ordered*, That:

Supplementary Order ODT 25A-1 (9 F.R. 11550), be, and it hereby is, amended by deleting the word and figures September 25, 1944, where they appear in paragraph numbered 1 thereof and substituting therefor the word and figures October 5, 1944.

Issued at Washington, D. C., this 21st day of September 1944.

J. M. JOHNSON,
*Director,*
*Office of Defense Transportation.*

[F. R. Doc. 44-14631; Filed, Sept. 22, 1944; 10:38 a. m.]

[1] Filed as part of the original document.

## OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 34 Under 2d Rev. Order A-3]

### GUNN FURNITURE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Purpose of this order.* This order grants the Gunn Furniture Company, Grand Rapids, Michigan an adjustment of its maximum prices for sales and deliveries of its line of wood office furniture. This order also permits persons who purchase these articles from the manufacturer for resale to increase their maximum prices dollarwise by the amount of this increase.

(b) *Adjustment of maximum prices.* The Gunn Furniture Company, Grand Rapids, Michigan, may add an 11.3% uniform adjustment to its maximum prices for its line of wood office furniture which it manufactures and each purchaser for resale of the wood office furniture may add the amount of the increase dollarwise to his maximum prices; provided the adjustment charge is separately quoted and billed, and provided the seller complies with the requirements for notice set forth in paragraph (c) below.

(c) *Notice.* At the time of or prior to the first invoice to a purchaser at a price which includes the adjustment charge provided in paragraph (b) above, the Gunn Furniture Company and its purchasers for resale shall send a notice to the purchaser fully explaining the terms of this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 22, 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 44-14614; Filed, Sept. 21, 1944; 4:06 p. m.]

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[MPR 188, Order 57 Under Order A-2]

### SIERRA TALC COMPANY

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion, issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to paragraph (a) (10) of Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188, *It is hereby ordered,* That:

(a) Specific authorization is hereby granted to the Sierra Talc Company, Los Angeles, California, to increase its maximum prices of certain grades of talc, and to sell these products to jobbers and consumers, respectively, at prices no higher than the maximum prices set forth for the grades of talc specified:

| Grades | Present maximum prices f.o.b. plant, per ton | | Adjusted maximum prices f.o.b. plant, per ton | |
|---|---|---|---|---|
| | Jobbers | Consumers | Jobbers | Consumers |
| Sierramic | $24.00 | $24.00 | $25.70 | $25.70 |
| New Mexico | 25.50 | 26.70 | 35.50 | 36.70 |
| N. S. Silver | 21.25 | 23.50 | 23.45 | 25.70 |
| N. S. Cosmetic | 21.25 | 23.50 | 23.05 | 25.30 |
| C. B. Ceramic | 18.25 | 19.25 | 21.95 | 22.95 |
| L. S. Silver | 17.50 | 19.00 | 23.55 | 25.05 |
| I. S. Silver | 24.50 | 27.50 | 24.90 | 27.90 |
| I. S. Cosmetic | 24.50 | 27.00 | 25.75 | 28.25 |
| Silver Lustre | 22.50 | 25.00 | 23.45 | 25.95 |

(b) Any person who purchases for resale in the same form the grades of talc described in paragraph (a) above may increase his established maximum prices by the dollars-and-cents amount equal to his actual dollars-and-cents increase in cost resulting from the increase permitted under (a) above.

(c) The maximum prices established herein shall be subject to at least the same cash, quantity and other discounts, transportation allowances, services and other terms and conditions of sale as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

This Order No. 57 shall become effective September 22, 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 44-14619; Filed, Sept. 21, 1944; 4:09 p. m.]

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[MPR 409, Amdt. 1 to Order 27]

### FROZEN FRUITS, BERRIES AND VEGETABLES (1943 PACK AND AFTER)

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this amendment has been issued and filed with the Division of the Federal Register.

Order No. 27 under Maximum Price Regulation No. 409 is amended in the following respects:

1. Paragraph (b) is redesignated paragraph (c) and amended to read as follows:

(c) This order may be revoked or amended by the Price Administrator at any time. Except for the provisions of paragraph (b), this order shall be automatically revoked as to the commodities named in paragraph (a) upon the establishment by the Office of Price Administration of new maximum prices for them.

2. A new paragraph (b) is added to read as follows:

(b) For each sale made under the provisions of this order, the seller, within 10 days after the new maximum prices established by the Office of Price Administration, shall supply each wholesaler and retailer, who has purchased from him under this order, an invoice or other written notice, showing the price after action taken by the Office of Price Administration.

This amendment to Order No. 27 shall become effective September 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of September 1944.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 44-14617; Filed, Sept. 21, 1944; 4:08 p. m.]

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[Max. Import Price Reg., Order 42]

### PACKET CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Effect of this order.* This order establishes maximum prices at which the importer may sell, and maximum prices at which retailers may buy and sell, certain sterling silver windproof "Zippo" type cigarette lighters complete with flint, packing and wick, imported from Mexico by Packet Company, 1501—38th South Dearborn Street, Chicago, Illinois, hereinafter called the "importer". These lighters are identified by an inscription "Sterling Silver made in Mexico" engraved at the bottom of each lighter.

(b) *Maximum price on sales by the importer to retailers.* The importer may sell such cigarette lighters to retailers at a price not exceeding $6.00 each, 2% 10 days, delivered. No retailer may pay the importer a higher price.

(c) *Maximum retail price.* The retailer may sell such lighter to any person at a price not exceeding $10.00. No person may pay the retailer a higher price.

(d) *Importer to notify retailers.* The importer shall furnish a copy of this order to each retailer to whom such lighters are sold and shall also include on the invoice the following statement: "The enclosed Order No. 42 issued under the Maximum Import Price Regulation by the Office of Price Administration, establishes your maximum selling price for this lighter. Your maximum selling price for this lighter, as established by Order No. 42, is $10.00."

(e) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective on September 23, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 22d day of September 1944.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 44-14663; Filed, Sept. 22, 1944; 11:34 a. m.]

[MPR 120, Amdt. 1 to Order 878]

SOUTHERN COAL CORP., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued herewith and in accordance with the Emergency Price Control Act, as amended, and Maximum Price Regulation No. 120, *It is ordered:*

Order No. 878 under Maximum Price Regulation No. 120 is hereby amended in the following respect:

The maximum prices set forth in the table of prices for low volatile coals of the following mines, for rail shipment, shall read as follows:

| Mine index No. | Mine name | Subdistrict | Size group No. | Maximum price |
|---|---|---|---|---|
| 9 | Ashland 6 and 9 | 3 | 1 | $3.80 |
| 8 | Asco No. 1 | 4 | 1 | 3.80 |
| 97 | Lamar | 3 | 1 | 3.80 |
| 117 | Mead No. 2 | 5 | 1 | 3.80 |
| 210 | Mullens | 5 | 1 | 3.80 |
| 201 | Wenonah Modoc | 3 | 1 | 3.80 |
| 6 | Arista | 3 | 1 | 3.80 |

This Amendment No. 1 to Order No. 878 shall become effective September 23, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of September 1944.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 44-14664; Filed, Sept. 22, 1944; 11:36 a. m.]

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[MPR 120, Order 1020]

ARJOH COAL AND COKE CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

ARJOH COAL & COKE CO., R. F. D. #5, GREENSBURG, PA., ARJOH DEEP MINE, PITTSBURGH SEAM, MINE INDEX NO. 4180, WESTMORELAND COUNTY, PA., SUB-DISTRICT 3, RAIL SHIPPING POINT, HUMPHREYS, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP NO. 8

| | Size Group Nos. | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| Price classification | E | E | E | E | E | C | B | B | B | ------ | ------ |
| Rail shipment | 335 | 335 | 305 | 305 | 305 | 325 | 300 | 300 | 285 | ------ | ------ |
| Railroad fuel | 335 | 335 | 315 | 315 | 315 | 325 | 300 | 300 | 285 | 270 | ------ |
| Truck shipment | 415 | 415 | 415 | 395 | 365 | 365 | 365 | 305 | 285 | 285 | 255 |

ARJOH COAL & COKE CO., R. F. D. #5, GREENSBURG, PA., ARJOH STRIP MINE, PITTSBURGH SEAM, MINE INDEX NO. 4181, WESTMORELAND COUNTY, PA., SUB-DISTRICT 3, RAIL SHIPPING POINT, HUMPHREYS, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP NO. 8

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Price classification | E | E | E | E | E | C | B | B | B | ------ | ------ |
| Rail shipment | 310 | 310 | 280 | 280 | 280 | 300 | 275 | 275 | 260 | ------ | ------ |
| Railroad fuel | 310 | 310 | 290 | 290 | 290 | 300 | 275 | 275 | 260 | 245 | ------ |
| Truck shipment | 415 | 415 | 415 | 395 | 365 | 365 | 365 | 305 | 285 | 285 | 255 |

CONBRO COAL CO., 405 U. S. NATIONAL BANK BLDG., JOHNSTOWN, PA., CONBRO-VOGELEY MINE, UPPER FREEPORT SEAM, MINE INDEX NO. 4213, BUTLER COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT, BUTLER, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 15, MAXIMUM TRUCK PRICE GROUP NO. 2

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Price classification | E | E | D | D | C | C | D | D | D | ------ | ------ |
| Rail shipment | 310 | 310 | 300 | 300 | 310 | 300 | 270 | 270 | 245 | ------ | ------ |
| Railroad fuel | 310 | 310 | 300 | 300 | 310 | 300 | 270 | 270 | 245 | 245 | ------ |
| Truck shipment | 435 | 435 | 435 | 415 | 405 | 405 | 405 | 320 | 290 | 290 | 270 |

C. & S. COAL & CLAY CO., ZELIENOPLE, PA., CUNNINGHAM NO. 4 MINE, KITTANNING SEAM, MINE INDEX NO. 4160, BEAVER COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT, STATION NO. 549-E, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 15, MAXIMUM TRUCK PRICE GROUP NO. 4

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Price classification | E | E | D | D | C | C | D | D | D | ------ | ------ |
| Rail shipment | 310 | 310 | 300 | 300 | 310 | 300 | 270 | 270 | 245 | ------ | ------ |
| Railroad fuel | 310 | 310 | 300 | 300 | 310 | 300 | 270 | 270 | 245 | 245 | ------ |
| Truck shipment | 415 | 415 | 415 | 400 | 375 | 375 | 375 | 305 | 265 | 265 | 245 |

This order shall become effective September 23, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of September 1944.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 44-14665; Filed, Sept. 22, 1944; 11:35 a. m.]

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[MPR 188, Order 58, Under Order A-2]

MARION TOOL CORP.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Manufacturer's maximum prices.* Marion Tool Corporation, Marion, Indiana, may sell and deliver the cast iron tools of its manufacture at prices no higher than its maximum prices for such sales in effect prior to the effective date of this order, plus five percent of each such maximum price. This adjustment applies to every item for which a maximum price was established under Maximum Price Regulation No. 188 prior to the effective date of this order, and may be made and collected only if separately stated. The adjusted prices are subject to the manufacturer's customary discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale of a hand tool for which the manufacturer's maximum price has been adjusted as provided in paragraph (a) may add to his properly established maximum price, in effect immediately prior to the effective date of this order, the dollars-and-cents amount of the adjustment charge which he is required to pay the manufacturer, provided such amount is separately stated. Such adjusted prices are subject to the seller's customary discounts, allowances, and other price differentials, in effect during March 1942 on sales to each class of purchaser.

(c) *Notification.* At the time of or before the first invoice to each purchaser for resale of an article covered by this order, at an adjusted price permitted by this order, the seller must furnish the purchaser with a written notice giving the number of this order and fully explaining its terms and conditions.

(d) *Profit and loss statement.* After the effective date of this order, Marion Tool Corporation shall submit to the Office of Price Administration a detailed quarterly profit and loss statement within thirty days after the close of each quarter.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of September 1944.

Issued this 22d day of September 1944.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 44-14662; Filed, Sept. 22, 1944; 11:34 a. m.]

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[MPR 188, Order 2400]

SERVICE CABINET CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a wardrobe, a dish cabinet, a china cabinet and a kitchen base manufactured by Service Cabinet Company, Inc., 1210 So. Morgan Street, Chicago, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

| Article | Model No. | Maximum price to persons, other than retailers, who resell from manufacturer's stock | Maximum price to retailers |
|---|---|---|---|
| | | *Each* | *Each* |
| Wardrobe | 1 | $7.77 | $9.15 |
| Dish cabinet | 2 | 6.67 | 7.88 |
| China cabinet | 3 | 6.94 | 8.17 |
| Kitchen base | 4 | 5.49 | 6.47 |

These prices are f. o. b. factory and are not subject to a discount. They are for the articles described in the manufacturer's application of March 27, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

| Article | Model No. | Maximum price to retailers |
|---|---|---|
| | | *Each* |
| Wardrobe | 1 | $9.15 |
| Dish cabinet | 2 | 7.88 |
| China cabinet | 3 | 8.17 |
| Kitchen base | 4 | 6.47 |

These prices are not subject to a discount and are for the articles described in the manufacturer's application dated March 27, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of September 1944.

Issued this 22d day of September 1944.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 44-14666; Filed, Sept. 22, 1944; 11:36 a. m.]

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[MPR 188, Order 2401]

GIBRALTAR MFG. CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This Order No. 2401 establishes maximum prices for sales of a new electric alarm clock manufactured by the Gibraltar Manufacturing Company, Inc., 403 Communipaw Ave., Jersey City, New Jersey, and described in an application dated July 17, 1944.

(1) For sales to wholesalers the maximum price is $2.47 per clock, f. o. b., Jersey City, New Jersey.

(2) For sales to retailers, the maximum price is $2.97 per clock, f. o. b., seller's city.

(3) For sales at retail, the maximum price is $4.95 per clock, exclusive of the federal excise tax.

(b) The manufacturer shall plainly mark each clock with the retail ceiling price before shipping it to a purchaser for resale. This may be done by marking the case or by attaching a tag or label.

(c) On and after September 23, 1944 at the time of the first invoice, the manufacturer shall notify in writing each wholesaler and each wholesaler shall notify in writing each retailer who purchases from him of the maximum prices established by this order. This written notice may be given in any convenient form.

(d) This Order No. 2401 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires the definitions set forth in § 1499.20 of the General Price Regulation shall apply to the terms used herein.

This Order No. 2401 shall become effective September 23, 1944.

Issued this 22d day of September 1944.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 44-14667; Filed, Sept. 22, 1944; 11:35 a. m.]

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[MPR 188, Order 2402]

ALBERT G. SCHREIBER

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This Order No. 2402 establishes maximum prices for sales of a new alarm clock manufactured by Albert G. Schreiber, 1608 Center Street, Milwaukee, Wisconsin, and described in an application dated August 4, 1944.

(1) For sales to retailers, the maximum price is $1.16 f. o. b., Milwaukee, Wisconsin.

(2) For sales at retail, the maximum price is $1.65, exclusive of the federal excise tax.

(b) The manufacturer shall plainly mark each clock with the retail ceiling price before shipping it to a purchaser for resale. This may be done by marking the case or by attaching a tag or label.

(c) On and after September 23, 1944, at the time of the first invoice, the manufacturer shall notify in writing each retailer who purchases from him of the maximum prices established by this order. This written notice may be given in any convenient form.

(d) This Order No. 2402 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 2402 shall become effective September 23, 1944.

Issued this 22d of September 1944.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 44-14668; Filed Sept. 22, 1944; 11:36 a. m.]

## Regional and District Office Orders.

[Connecticut Order G–1 Under MPR 154, Amdt. 1]

ICE IN CONNECTICUT

This Order No. G–1 is amended in the following respects:

1. Section (a) is amended to read as follows:

(a) The maximum prices for sales of ice cubes and shaved or crushed ice in the State of Connecticut shall be the maximum prices established by §§ 1393.1 and 1393.12 of Maximum Price Regulation No. 154, as amended, or the prices specified in the following schedule, whichever are higher. The maximum prices for sales of sized ice in the State of Connecticut are the prices specified in the following schedule:

| Kind of ice | Type of sale | Price |
|---|---|---|
| Ice cubes | Quantity delivered sale | $0.75 per bushel. |
| Ice cubes | Retail delivered sale | $1.00 per bushel. |
| Ice cubes | Platform sale | $0.75 per bushel. |
| Sized ice #1 | Delivered in 2-bushel bags | $0.40 per bag. |
| Sized ice #2 | Delivered in 2-bushel bags | $0.50 per bag. |
| Sized ice #3 and #4 | Delivered in 2-bushel bags | $0.70 per bag. |
| Shaved or crushed ice | Delivered in 45-pound tubs | $0.25 per tub. |
| Shaved or crushed ice | Delivered in 2-bushel bags | $0.50 per bag. |

2. Section (c) is amended by changing the definition of Number 1 and 2 sized ice in paragraph 5 to read as follows:

No. 1 sized ice is a fine granulated ice which passes through a ¼" mesh screen.

No. 2 sized ice will not pass through a ¼" mesh screen but will pass through a 1" mesh screen.

This Amendment No. 1 to Order G–1 under Maximum Price Regulation No. 154 shall become effective August 28, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of August 1944.

ANTHONY F. ARPAIA,
*Director.*

[F. R. Doc. 44–14593; Filed, Sept. 21, 1944; 12:42 p. m.]

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[Region I Order G–9 Under MPR 426, Amdt. 1]

FRESH FRUITS AND VEGETABLES IN BOSTON, MASS.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by Section 8 (a) (7) of Maximum Price Regulation No. 426, *It is hereby ordered:*

(a) The first sentence in paragraph (a) of this order is amended to read as follows: "The total amounts which may be added to the maximum basing point prices of the commodities listed for freight (including the transportation tax imposed by section 620 of the Revenue Act of 1942) and protective services from the basing points listed to the City of Boston, Commonwealth of Massachusetts, for the purpose of determining maximum selling prices thereof, shall be the amounts set forth in Table A hereof."

This amendment becomes effective September 9, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of September 1944.

FRANK D. O'NEIL,
*Acting Regional Administrator.*

[F. R. Doc. 44–14592; Filed, Sept. 21, 1944; 12:42 p. m.]

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[Region II Order G–46 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN DESIGNATED COUNTIES IN PENNSYLVANIA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does*—(1) *Dealers' maximum prices: Area covered.* If you are a dealer in "Pennsylvania anthracite," this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in Commonwealth of Pennsylvania—Coal Area VIII. That area comprises four full counties and designated parts of four other counties in the Commonwealth of Pennsylvania, falling into four zones as follows:

*Zone 1.* Zone 1 includes all of Dauphin County except the City of Harrisburg, the Boroughs of Paxtang, Penbrook, and Steelton and the Townships of Lower Paxton, Susquehanna, and Swatara.

*Zone 2.* Zone 2 includes all of Mifflin and Juniata Counties: Perry County, except the Borough of Marysville; and Cumberland County, except the Boroughs of Camp Hill, Lemoyne, Mechanicsburg, New Cumberland, Shiremanstown, West Fairview and Wormleysburg, and the Townships of East Pennsboro, Hampden and Lower Allen.

*Zone 3.* Zone 3 includes all of Adams County; York County, except the City of York, the Boroughs of Dallastown, Dover, Jacobus, Loganville, Manchester, Mount Wolf, New Salem, North York, Seven Valleys, Spring Grove, West York and Yoe, and the Townships of Conewago, Dover, East Manchester, Jackson, Manchester, Newberry, North Codorus, Springetsbury, Springfield, Spring Garden, West Manchester and York.

*Zone 4.* Zone 4 includes all of Franklin County.

The excluded portions of the above counties which are included only in part are covered by Order No. 50 under Revised Maximum Price Regulation No. 122.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Zones 1, 2, 3, and 4 are set forth in Schedule I, II, III, and IV, respectively.

(3) *To what sales this order applies.* If you are a dealer in anthracite, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Zones 1, 2, 3, and 4.

You shall determine the maximum price for "Direct-Delivery" sales, as hereinafter defined, by reference to the appropriate Schedule of this order covering the zone in which the purchaser takes physical possession or custody of the anthracite.

(b) *What this order prohibits.* Regardless of any contract or other obligation, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the Schedule herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay, or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the Schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) *Use the schedule which covers your sale.* (Schedule I contains a separate table of prices for "direct-delivery" sales and "yard sales" within Zone 1. You will find Schedule I in paragraph (d). In like manner Schedules II, III, and IV contain separate tables of prices for similar sales in Zones 2, 3, and 4, respectively. You will find Schedule II in paragraph (e), Schedule III in paragraph (f), and Schedule IV in paragraph (g).

(2) Take the dollars-and-cents figure given in the applicable table of the applicable Schedule, for the sizes and quantity you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified therein. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in the Schedules.

(d) *Schedule I.* Schedule I establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 1. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

| Size | Per net ton | Per net ½ ton | Per net ¼ ton | Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton) |
|---|---|---|---|---|
| Broken, egg, stove, nut | $12.45 | $6.50 | $3.45 | $0.75 |
| Pea | 10.80 | 5.65 | 3.05 | .65 |
| Buckwheat | 9.05 | 4.80 | 2.60 | ---------- |
| Rice | 8.05 | 4.30 | 2.35 | ---------- |
| Barley | 7.05 | 3.80 | 2.10 | ---------- |
| Screenings | 3.50 | 1.75 | ------ | ---------- |

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

| Special service rendered at the request of the purchaser: | *Cents per ton* |
|---|---|
| "Carry" or "wheel" (except for sales amounting to less than one ton) | 50 |
| Carrying upstairs or downstairs for each full flight above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel" | 50 |

(2) *"Yard sales."*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

| Size | Per net ton | Per net ½ ton | Per net ¼ ton | Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton) |
|---|---|---|---|---|
| Broken, egg, stove, nut | $11.45 | $6.00 | $3.20 | $0.65 |
| Pea | 9.80 | 5.15 | 2.80 | .60 |
| Buckwheat | 8.05 | 4.30 | 2.35 | ---------- |
| Rice | 7.05 | 3.80 | 2.10 | ---------- |
| Barley | 6.05 | 3.30 | 1.85 | ---------- |
| Screenings | 2.50 | 1.25 | ------ | ---------- |

(e) *Schedule II.* Schedule II establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 2. There is a separate table of prices for "Direct-delivery" sales and "Yard sales."

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

| Size | Per net ton | Per net ½ ton | Per net ¼ ton | Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton) |
|---|---|---|---|---|
| Broken, egg, stove, nut | $12.85 | $6.95 | $3.45 | $0.75 |
| Pea | 11.20 | 6.10 | 3.05 | .65 |
| Buckwheat | 9.60 | 5.30 | 2.65 | ---------- |
| Rice | 8.65 | 4.85 | 2.40 | ---------- |
| Barley | 7.65 | 4.35 | 2.15 | ---------- |
| Screenings | 3.50 | 1.75 | ------ | ---------- |

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

| Special service rendered at the request of the purchaser: | *Cents per ton* |
|---|---|
| "Carry" or "wheel" (except for sales amounting to less than one ton) | 50 |
| Carrying upstairs or downstairs for each full flight above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel" | 40 |

(2) *"Yard sales."*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

| Size | Per net ton | Per net ½ ton | Per net ¼ ton | Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton) |
|---|---|---|---|---|
| Broken, egg, stove, nut | $11.85 | $6.45 | $3.20 | $0.65 |
| Pea | 10.20 | 5.60 | 2.80 | .60 |
| Buckwheat | 8.60 | 4.80 | 2.40 | ---------- |
| Rice | 7.65 | 4.35 | 2.15 | ---------- |
| Barley | 6.65 | 3.85 | 1.90 | ---------- |
| Screenings | 2.50 | 1.25 | ------ | ---------- |

(f) *Schedule III.* Schedule III establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 3. There is a separate table of prices for "direct-delivery" sales and "yard sales."

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZE AND IN THE QUANTITIES SPECIFIED

| Size | Per net ton | Per net ½ ton | Per net ¼ ton | Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton) |
|---|---|---|---|---|
| Broken, egg, stove, nut | $13.10 | $6.80 | $3.55 | $0.75 |
| Pea | 11.50 | 6.00 | 3.15 | .65 |
| Buckwheat | 9.70 | 5.10 | 2.70 | ---------- |
| Rice | 8.65 | 4.60 | 2.40 | ---------- |
| Barley | 7.65 | 4.10 | 2.15 | ---------- |
| Screenings | 3.50 | 1.75 | ------ | ---------- |

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (1) of this Schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

| Special service rendered at the request of the purchaser: | *Cents per ton* |
|---|---|
| "Carry" or "wheel" (except for sales amounting to less than one ton) | 50 |
| Carrying upstairs or downstairs for each full flight above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel" | 50 |

(2) *"Yard sales."*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

| Size | Per net ton | Per net ½ ton | Per net ¼ ton | Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton) |
|---|---|---|---|---|
| Broken, egg, stove, nut | $12.10 | $6.30 | $3.30 | $0.65 |
| Pea | 10.50 | 5.50 | 2.90 | .60 |
| Buckwheat | 8.70 | 4.60 | 2.45 | ---------- |
| Rice | 7.65 | 4.10 | 2.15 | ---------- |
| Barley | 6.65 | 3.60 | 1.90 | ---------- |
| Screenings | 2.50 | 1.25 | ------ | ---------- |

(g) *Schedule IV.* Schedule IV establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 4. There is a separate table of prices for "direct-delivery" sales and "yard sales."

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

| Size | Per net ton | Per net ½ ton | Per net ¼ ton | Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton) |
|---|---|---|---|---|
| Broken, egg, stove, nut | $13.40 | $6.95 | $3.60 | $0.75 |
| Pea | 11.20 | 5.85 | 3.05 | .65 |
| Buckwheat | 9.60 | 5.05 | 2.65 | ---------- |
| Rice | 8.75 | 4.65 | 2.45 | ---------- |
| Barley | 7.75 | 4.15 | 2.20 | ---------- |
| Screenings | 3.50 | 1.75 | ------ | ---------- |

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

| Special service rendered at the request of the purchaser: | *Cents per per ton* |
|---|---|
| "Carry" or "wheel" (except for sales amounting to less than one ton) | 50 |
| Carrying upstairs or downstairs for each full flight above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel" | 50 |

(2) *"Yard sales."*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

| Size | Per net ton | Per net ½ ton | Per net ¼ ton | Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton) |
|---|---|---|---|---|
| Broken, egg, stove, nut | $12.40 | $6.45 | $3.35 | $0.65 |
| Pea | 10.20 | 5.35 | 2.80 | .60 |
| Buckwheat | 8.60 | 4.55 | 2.40 | ---------- |
| Rice | 7.75 | 4.15 | 2.20 | ---------- |
| Barley | 6.75 | 3.65 | 1.95 | ---------- |
| Screenings | 2.50 | 1.25 | ------ | ---------- |

(3) *Special addition for sales from yards located in Blue Ridge, Franklin County.* You may add to the maximum prices for "direct-delivery" sales and "yard sales" set out in tables 1 and 2 above, for sales in quantities of ¼ ton or more, 60¢ per net ton, 30¢ per net ½ ton and 15¢ per net ¼ ton where deliveries are made from yards located in Blue Ridge, Franklin County.

(h) *Commingling.* If you sell one size of anthracite commingled with another size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if those sizes are separately weighed at the point of loading, the dealer may commingle those sizes in the truck or other vehicle in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(i) *Ex Parte 148 Freight Rate Increase.* Since the Ex Parte 148 Freight Rate Increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any Schedule price on account of freight rates.

(j) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(k) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by Section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, or to the Commonwealth of Pennsylvania or any political subdivision thereof, you need not state this tax separately.

(l) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(m) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(n) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(o) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(p) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(q) *Posting of maximum prices: Sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices as set forth in the applicable Schedule or Schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(r) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Harrisburg District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(s) *Definitions and explanations.* When used in this Order No. G-46, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the Schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of "Pennsylvania anthracite" described as broken, egg, stove, nut, pea, buckwheat, rice, barley, and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the Commonwealth of Pennsylvania—Coal Area VIII with such desig-

nations during December 1941. Under no circumstances, however, shall the anthracite contain an ash content in excess of the limits specified by Amendment No. 1 to Solid Fuels Administration for War Regulation No. 9.

(6) "Direct delivery", except with respect to sales in 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or other vehicle or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct delivery" in 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(7) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from seller's truck in the course of "direct delivery".

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(9) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in Sections 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(t) *Effect of order on Revised Maximum Price Regulation No. 122.* This Order No. G–46 shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subject to this order.

NOTE: The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–46 shall become effective September 20th, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of September 1944.

DANIEL P. WOOLLEY,
*Regional Administrator.*

[F. R. Doc. 44–14594; Filed, Sept. 21, 1944; 12:43 p. m.]

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[Birmingham Order G–1 Under MPR 426, Revocation]

ICEBERG LETTUCE IN BIRMINGHAM, ALA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Birmingham District, Office of Price Administration, by section 2 (b) of Maximum Price Regulation 426, as amended, by Regional Delegation Order No. 16, issued by Region IV of the Office of Price Administration, dated September 7, 1943, and by Order No. G–1 under Maximum Price Regulation No. 426, as amended, *It is hereby ordered:*

That Order No. G–1 under Maximum Price Regulation No. 426, as amended, be, and the same is hereby, revoked.

Issued this September 7, 1944.

JOSEPH A. SHORT,
*District Director.*

[F. R. Doc. 44–14597; Filed, Sept. 21, 1944; 12:43 p. m.]

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[Atlanta Order G–1 Under MPR 426, Revocation]

ICEBERG LETTUCE IN ATLANTA, GA.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Atlanta District Office of the Office of Price Administration by section 2 (b) of Maximum Price Regulation No. 426, as amended, and Regional Delegation Order No. 16, this revocation is hereby issued:

(1) *Revocation of Order No. G–1, as amended, under Maximum Price Regulation No. 426, as amended; fresh fruits and vegetables for table use, sales except at retail.* Order No. G–1, as amended, under Maximum Price Regulation No. 426, as amended, is hereby revoked subject to the provisions of Supplementary Order No. 40. This revocation, however, of Order No. G–1, as amended, under Maximum Price Regulation No. 426, as amended, shall not have the effect of releasing or extinguishing any penalty or liability incurred under such order or any cause of action or right of action arising out of the failure of anyone subject to that order to comply with the provisions of that order. The order shall be treated as remaining in force for the purpose of allowing or sustaining any proper suit, action, prosecution, or proceeding with respect to any penalty or liability incurred by any person under said order and for the purpose of allowing any person to institute a suit or action based on any cause of action arising, prior to this revocation, out of failure of any person subject to that order to comply with the provisions and requirements of the order.

(2) *Effective date.* This revocation shall become effective on and after September 13, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued September 8, 1944.

E. A. THORNWELL,
*District Director.*

Approved: September 8, 1944.

FRANK V. LANHAM,
*Acting Regional Director,*
*War Food Administration.*

[F. R. Doc. 44–14595; Filed, Sept. 21, 1944; 12:45 p. m.]

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[Atlanta Order G–2 Under MPR 376, Revocation]

SWEET POTATOES IN NORTH GEORGIA AREA

For the reasons set forth in an accompanying opinion issued simultaneously herewith and under the authority vested in the District Director of the Atlanta District Office of the Office of Price Administration by section 4 (c) of Maximum Price Regulation No. 376, as amended, and Regional Delegation Order No. 34, this revocation is hereby issued:

1. *Revocation of Order No. G–2 under Maximum Price Regulation No. 376, as amended; certain fresh fruits and vegetables.* Order No. G–2 under Maximum Price Regulation No. 376, as amended, is hereby revoked subject to the provisions of Supplementary Order No. 40. This revocation, however, of Order No. G–2 under Maximum Price Regulation No. 376 shall not have the effect of releasing or extinguishing any penalty or liability incurred under such order or any cause of action or right of action arising out of the failure of anyone subject to that order to comply with the provisions of that order. The order shall be treated as remaining in force for the purpose of allowing or sustaining any proper suit, action, prosecution, or proceeding with respect to any penalty or liability incurred by any person under said order and for the purpose of allowing any person to institute a suit or action based on any cause of action arising, prior to this revocation, out of failure of any person subject to that order to comply with the provisions and requirements of the order.

2. *Effective date.* This revocation shall become effective on and after September 13, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued September 8, 1944.

E. A. THORNWELL,
*District Director.*

Approved: September 8, 1944.

FRANK V. LANHAM,
*Acting Regional Director,*
*War Food Administration.*

[F. R. Doc. 44–14596; Filed, Sept. 21, 1944; 12:45 p. m.]

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[Region VIII Order G–3 Under 18 (c), Amdt. 43]

FLUID MILK IN WATERVILLE, WASH.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15, and special authorization conferred by the Price Administrator pursuant to § 1499.75 (a) (9) (ii) (c), *It is hereby ordered,* That Order No. G–3 under § 1499.18 (c), as amended, of the General Maximum Price Regulation be amended as set forth below:

(a) Section (1) is hereby amended by adding to the schedule of prices at the end thereof, the following:

WATERVILLE

| | Wholesale | Retail |
|---|---|---|
| Quart | 0.12 | 0.14 |

This amendment shall become effective September 18, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 13th day of September 1944.

CHARLES R. BAIRD,
*Regional Administrator.*

[F. R. Doc. 44-14600; Filed, Sept. 21, 1944; 12:43 p. m.]

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[Region VIII Order G-13 Under 18 (c), Amdt. 2]

FLUID MILK IN SEATTLE, WASH.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator by § 1499.18 (c), as amended of the General Maximum Price Regulation, and a specific authorization issued pursuant to the provisions of § 1499.75 (a) (9) (ii) (c) of Supplementary Regulation No. 15, *It is hereby ordered:*

(a) Sections 4, 5, 6, and 7 are hereby designated as sections 5, 6, 7, and 8 respectively.

(b) A new section 4 is added to read as follows:

Maximum prices for sales of fluid milk of 3.5% milk fat content shall be as set forth below:

| | Wholesale delivered | Out of store | Home delivered |
|---|---|---|---|
| Quart, glass | $0.11 | $0.125 | $0.135 |
| Quart, fiber | .115 | | |
| Pint, glass | .0725 | | |
| Pint, fiber | .0775 | | |
| ½ pint, glass | .03625 | | |
| ½ pint, fiber | .04125 | | |
| 10-oz. glass | .0585 | | |
| 10-oz. fiber | .0635 | | |

(c) This amendment may be revoked or amended at any time.

This amendment shall become effective September 18, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 13th day of September 1944.

CHARLES R. BAIRD,
*Regional Administrator.*

[F. R. Doc. 44-14601; Filed, Sept. 21, 1944; 12:45 p. m.]

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[Charlotte Order G-1 Under MPR 426, Revocation]

LETTUCE IN CHARLOTTE, N. C., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Office of Price Administration, Charlotte, North Carolina, by Delegation Order No. 16 issued by the Atlanta Regional Office pursuant to section 2 of Maximum Price Regulation No. 426, *It is hereby ordered:*

That Order No. G-1 under Maximum Price Regulation No. 426 be, and the same hereby, is revoked.

This revocation shall become effective immediately.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of September 1944.

L. WILLIAM DRISCOLL,
*District Director.*

[F. R. Doc. 44-14599; Filed, Sept. 21, 1944; 12:45 p. m.]

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[Region VIII Order G-100 Under 18 (c), Amdt. 1]

PULPWOOD IN SAN FRANCISCO REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region VIII of the Office of Price Administration by § 1499.18 (c), as amended of the General Maximum Price Regulation, *It is hereby ordered:*

(a) Appendix A is hereby amended to read as set forth below:

(b) Paragraph (b) (3) is amended to read as follows:

"Tie mill waste", as used herein, means all waste products of tie mill operations including but not limited to slabs, edgings, and blocks. Current tie mill operators may qualify their waste as "tie mill waste" if 80% of their total manufactured products are ties.

This amendment may be revoked, amended, or corrected at any time.

This amendment shall become effective upon issuance.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued this 9th day of September 1944.

CHAS. R. BAIRD,
*Regional Administrator.*

APPENDIX A—TABLE 1—PUGET SOUND DISTRICT FOR PULP MILLS LOCATED IN REGION VIII

| Product description and species | Process length | Unit | Size specification | Delivery point | Maximum price |
|---|---|---|---|---|---|
| *Sawmill waste* | | | | | |
| Hemlock, spruce, white fir—block and/or slab | Bark on 4' | 128 cu. ft. stacked | 2" Clear wood | F. o. b. Mill conveyor | $3.00 |
| Douglas fir—block and/or slab | Bark on 4' | 128 cu. ft. stacked | 2" Clear wood | F. o. b. Mill conveyor | 1.25 |
| Hemlock, spruce, white fir—block and/or slab | Bark off 4' | 128 cu. ft. stacked | | F. o. b. Mill conveyor | 5.00 |
| Douglas fir—block and/or slab | Bark off 24-48" | 128 cu. ft. stacked | | F. o. b. Mill conveyor | 1.25 |
| Hemlock, spruce, white fir—block and/or slab | Bark on 4' | 128 cu. ft. stacked | 2" Clear wood | F. o. b. Trans. facilities | 5.00 |
| Douglas fir—block and/or slab | Bark on 4' | 128 cu. ft. stacked | 2" Clear wood | F. o. b. Trans. facilities | 3.00 |
| Hemlock, spruce, white fir—block and/or slab | Bark off 4' | 128 cu. ft. stacked | | F. o. b. Trans. facilities | 7.00 |
| Douglas fir—block and/or slab | Bark off 24" | 200 cu. ft. loose | | F. o. b. Trans. facilities | 5.50 |
| | Bark off 24" | 200 cu. ft. loose | | F. o. b. Trans. facilities | 4.50 |
| *Pulpwood* | | | | | |
| Chips, any species | Bark off | 200 cu. ft. loose | | F. o. b. Trans. facilities | 5.10 |
| *Forest cordwood* | | | | | |
| All species | Bark on 4' | 128 cu. ft. stacked | 4" up Clear wood | F. o. b. Pulp mill | 12.00 |
| | Bark off 4' | 128 cu. ft. stacked | 4" up Clear wood | F. o. b. Pulp mill | 14.00 |
| *Veneer mill waste* * | | | | | |
| Cores, any species | Bark off 4' | 128 cu. ft. stacked | Select | F. o. b. Pulp mill | 12.00 |
| *Tie mill waste* | | | | | |
| Hemlock, white fir | Bark off 4' | 128 cu. ft. stacked | 2" Clear wood | F. o. b. Trans. facilities | 9.00 |

TABLE 2—COLUMBIA RIVER DISTRICT

| | | | | | |
|---|---|---|---|---|---|
| *Sawmill waste* | | | | | |
| Hemlock, spruce, white fir—block and/or slab | Bark on 2-4' | 128 cu. ft. stacked | 2" clear wood | F. o. b. mill conveyor | $1.00 |
| Douglas fir—block and/or slab | Bark on 2-4' | 128 cu. ft. stacked | 2" clear wood | F. o. b. mill conveyor | 1.00 |
| Hemlock, spruce, white fir—block and/or slab | Bark off 2-4' | 128 cu. ft. stacked | | F. o. b. mill conveyor | 3.00 |
| Douglas fir—block and/or slab | Bark off 2-4' | 128 cu. ft. stacked | | F. o. b. mill conveyor | 1.50 |
| Hemlock, spruce, white fir—block and/or slab | Bark on | 200 cu. ft. loose | 2" clear wood | F. o. b. trans. facilities | 5.00 |
| Douglas fir—slab and/or block | Bark on | 200 cu. ft. loose | 2" clear wood | F. o. b. trans. facilities | 3.00 |
| Hemlock, spruce, white fir—block and/or slab | Bark off 4' | 128 cu. ft. stacked | | F. o. b. trans. facilities | 7.00 |
| Hemlock, spruce, white fir—block | Bark off 2-4' | 128 cu. ft. stacked solid | | F. o. b. trans. facilities | 12.00 |
| Douglas fir—block and/or slab | Bark off 24" | 200 cu. ft. loose | | F. o. b. trans. facilities | 4.50 |

APPENDIX A—TABLE 2—COLUMBIA RIVER DISTRICT—Continued

FOR PULP MILLS LOCATED IN REGION VIII—continued

| Product Description and Species | Process length | Unit | Size specification | Delivery point | Maximum price |
|---|---|---|---|---|---|
| *Veneer mill waste* | | | | | |
| Cores, any species | Bark off 4-8' | 128 cu. ft. stacked | | F. o. b. pulpmill | $14.00 |
| Nubbins, any species | Bark off 24-36" | 128 cu. ft. stacked | | F. o. b. pulpmill | 14.00 |
| *Tie mill waste* | | | | | |
| Douglas fir | Bark on 4-8' | 128 cu. ft. stacked | 2" clear wood | F. o. b. pulpmill | 8.00 |
| | Bark off 4-8' | 128 cu. ft. stacked | 2" clear wood | F. o. b. pulpmill | 10.00 |
| All other species | Bark on 4-8' | 128 cu. ft. stacked | | F. o. b. pulpmill | 10.00 |
| | Bark off 4-8' | 128 cu. ft. stacked | | F. o. b. pulpmill | 12.00 |
| *Pulpwood chips*, any species | Bark off | 200 cu. ft. loose | | F. o. b. trans. facilities | 6.25 |
| *Forest cordwood*, any species | Bark on 24-96" | 128 cu. ft. stacked | 4" up clear wood | F. o. b. pulpmill | 12.00 |
| | Bark off 24-96" | 128 cu. ft. stacked | 4" up clear wood | F. o. b. pulpmill | 14.00 |

TABLE 3—PUGET SOUND DISTRICT

SALES TO PULP MILLS LOCATED OUTSIDE REGION VIII

| Product description and species | Bark | Process length | Unit of measure | Size specification | Delivery point | Maximum price |
|---|---|---|---|---|---|---|
| FOREST PRODUCED CORDWOOD | | | | | | |
| Lodge pole pine, tamarack | Bark on | 100" | 128 cu. ft. stacked | 4" Clear wood | F. o. b. rail car | [1] $8.50 |
| White fir and spruce | Bark on | 100" | 128 cu. ft. stacked | 4" Clear wood | F. o. b. rail car | [1] $10.50 |

[1] This maximum price applies to direct producer to consumer sales. An independent contractor performing such services as contracting for cutting, assembling, and shipping may add $1.00 per cord to the listed maximum price.

[F. R. Doc. 44-14603; Filed, Sept. 21, 1944; 12:59 p. m.]

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[Region VIII Order G-101 Under 18 (c)]

## MORTUARY SERVICES IN DESIGNATED COUNTIES IN CALIFORNIA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, *It is ordered as follows:*

(a) The maximum prices for funeral services furnished to the Armed Forces of the United States in the area specified hereinafter shall be as follows:

| | |
|---|---|
| (1) For embalming, washing, shaving, clothing, and all other preparation of remains, placement in casket, and use of suitably equipped reception room and funeral parlor | $35.00 |
| (2) For care of remains, the service to consist of transfer of remains from place of arrival to dispensary or contractor's establishment and care of remains pending burial or reshipment including use of suitably equipped reception room and funeral parlor for Chapel services when required | $10.00 |
| (3) Transfer of remains to another casket | .50 |
| (4) Additional service of re-embalming and re-arrangement in casket | 10.00 |
| (5) For care of remains pending burial or reshipment including use of suitably equipped reception room and funeral parlor | 5.00 |
| (6) For engraving name and date of death on metal plate of casket | 1.50 |
| (7) For all necessary Health Department Permits | 1.00 |
| (8) For opening grave, including necessary attendants at cemetery, also closing grave | 5.00 |
| (9) All transportation services (except as included in the above items), including transportation from station, dispensary, hospital, etc., or other places of death within a radius of 100 miles to contractor's establishment; delivery from contractor's establishment or dispensary, hospital, etc., to local cemetery, shipping point, home of next of kin, or cemetery within a radius of 100 miles, mileage based on one way distance | [1] .40 |

[1] Per mile with minimum of $10.00 for one vehicle, and $15.00 for two vehicles.

(b) This order establishes the maximum prices for mortuary services rendered to the Armed Forces of the United States in the following counties in California: Imperial, San Bernardino, Riverside, Orange, Los Angeles, Ventura, and Santa Barbara counties.

(c) This order may be revoked, amended, or corrected at any time.

(d) This order shall become effective upon its issuance.

Issued this 2d day of September 1944.

(56 Stat. 34, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681)

CHAS. R. BAIRD,
*Regional Administrator.*

[F. R. Doc. 44-14602; Filed, Sept. 21, 1944; 12:42 p. m.]

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[Memphis Order G-2 Under MPR 426, Amdt. 1]

## FRESH FRUITS AND VEGETABLES IN MEMPHIS, TENN., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Memphis District Office, Region IV, Office of Price Administration, by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, Revised General Order No. 51, and Regional Delegation Orders Nos. 33, 35, 52 and 53, issued by the Atlanta Regional Office on March 22, 1944, March 31, 1944, August 2, 1944 and August 7, 1944, respectively; *It is hereby ordered:*

That section 1 of Order G-2 under Maximum Price Regulation 426, as amended, be, and the same is hereby, amended to include the following fresh fruits and vegetables:

Strawberries.
Blackberries.
Red raspberries.
Black raspberries.
Watermelons.
Cantaloupes.
Honey ball melons.
Pears.
Peaches.
Honey dew melons.
Red sour cherries.
Sweet potatoes.
Sweet cherries.
Apricots.
Plums.
Fresh Italian prunes.
Apples (except lady apples and crab apples).
Table grapes.

All other provisions of Order G-2 under Maximum Price Regulation No. 426 remain unchanged and in full force and effect.

This amendment shall become effective at 12:01 a. m. on the 21st day of August 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871,

E.O. 9328, 8 F.R. 4681, R.G.O. 51, 9 F.R. 408)

Issued this 16th day of August 1944.

W. C. MANLEY, Jr.,
*District Director.*

Approved:

FRANK V. LANHAM,
*Acting Regional Director,*
*Office of Distribution,*
*War Food Administration.*

[F. R. Doc. 44-14621; Filed, Sept. 12, 1944; 4:07 p. m.]

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[Memphis Order G-2 Under MPR 426, Amdt. 2]

FRESH FRUITS AND VEGETABLES IN MEMPHIS, TENN., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Memphis District Office, Region IV, Office of Price Administration, by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, Revised General Order No. 51, and Regional Delegation Orders Nos. 33, 35, 52 and 53, issued by the Atlanta Regional Office on March 22, 1944, March 31, 1944, August 2, 1944 and August 7, 1944, respectively, *It is hereby ordered,* That section 1 of Order G-2 under Maximum Price Regulation 426, as amended, be, and the same is hereby, amended to read as follows:

SECTION 1. *What this order does.* This order establishes a maximum delivery charge, as given below, for the delivery by any service wholesaler or secondary jobber located in the Memphis District Office area, when delivering

Snap beans.
Peppers.
Egg plants.
Cucumbers.
Spinach.
Carrots.
Green peas.
Oranges.
Grapefruit.
Lemons.
Tangerines.
Cabbage.
Table grapes.
Strawberries.
Blackberries.
Lettuce.
Red raspberries.
Black raspberries.
Watermelons.
Cantaloupes.
Honeyball melons.
Pears.
Peaches.
Honeydew melons.
Red sour cherries.
Sweetpotatoes.
Sweet cherries.
Apricots.
Plums.
Fresh Italian prunes.
Apples (except lady apples and crab apples).

to the premises of any purchaser located outside the free delivery zone of that service wholesaler or secondary jobber:

| | *Cents per container* |
|---|---|
| For containers of less than 40 pounds, gross weight | 10 |
| For containers of 40 pounds to 60 pounds, gross weight | 20 |
| For containers of more than 60 pounds, gross weight | 25 |

All other provisions of Order G-2 under Maximum Price Regulation No. 426, as amended, remain unchanged and in full force and effect.

This amendment shall become effective at 12:01 a. m. on the 31st day of August 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; R.G.O. 51, 9 F.R. 408)

Issued this 26th day of August 1944.

W. C. MANLEY, Jr.,
*District Director.*

Approved:

FRANK V. LANHAM,
*Acting Regional Director,*
*Office of Distribution,*
*War Food Administration.*

[F. R. Doc. 44-14620; Filed, Sept. 21, 1944; 4:07 p. m.]

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LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on September 16, 1944.

REGION I

Boston Order 1-W, covering community food prices at wholesale and retail in the Commonwealth of Massachusetts, filed 4:10 p. m.

Boston Order 1-B-W, covering community food prices at wholesale and retail in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut, filed 4:09 p. m.

REGION II

Pittsburgh Order 1-F, Amendment 23, covering fresh fruit and vegetables in Pittsburgh and certain surrounding communities, filed 4:00 p. m.

Binghamton Order 2-F, covering fresh fruit and vegetables in designated areas in New York, filed 4:05 p. m.

Harrisburg Order 2-F, covering fresh fruit and vegetables in certain counties in Pennsylvania, filed 9:31 a. m.

Harrisburg Order 26, covering food items of dry groceries in Cumberland, Lebanon, Perry, and Dauphin, Pa., filed 9:19 a. m.

Scranton Order 4-F, covering fresh fruit and vegetables in designated counties in Pennsylvania, filed 9:31 a. m.

Maryland Order 4-F, Amendment 2, covering fresh fruit and vegetables in Baltimore City and suburban communities, filed 4:04 p. m.

Maryland Order 5-F, covering fresh fruit and vegetables in designated area in the Maryland district, filed 4:05 p. m.

Maryland Order 6-F, Amendment 2, covering fresh fruit and vegetables in designated area in the Maryland District, filed 4:04 p. m.

Wilmington Order 5-F, covering fresh fruit and vegetables in designated area in the Maryland district, filed 9:30 a. m.

REGION III

Charleston Order 3-F, Amendment 38, covering fresh fruit and vegetables in designated counties in West Virginia, filed 4:06 p. m.

Charleston Order 7-F, Amendment 24, covering fresh fruit and vegetables in designated areas in West Virginia, filed 4:06 p. m.

Charleston Order 8-F, Amendment 24, covering fresh fruit and vegetables in designated counties in West Virginia, filed 4:07 p. m.

Charleston Order 9-F, Amendment 23, covering fresh fruit and vegetables in Cabell County and Huntington in Wayne County, W. Va., filed 4:07 p. m.

Charleston Order 10-F, Amendment 22, covering fresh fruit and vegetables in designated counties in West Virginia, filed 4:08 p. m.

Charleston Order 12-F, Amendment 13, covering fresh fruit and vegetables in designated counties in West Virginia, filed 4:08 p. m.

Charleston Order 13-F, Amendment 8, covering fresh fruit and vegetables in designated areas in West Virginia, filed 4:08 p. m.

Cincinnati Order 1-F, Amendment 48, covering fresh fruit and vegetables in Hamilton County, Ohio, filed 9:29 a. m.

Cincinnati Order 2-F, Amendment 41, covering fresh fruit and vegetables in Butler, Clark, Montgomery and Scioto Counties in Ohio, filed 9:29 a. m.

REGION IV

Atlanta Order 3-W, covering dry groceries in the Atlanta district area, filed 3:59 p. m.

Atlanta Order 3-W, Amendment 1, covering dry groceries in the Atlanta district, filed 4:00 p. m.

Atlanta Order 15, covering community food prices in the Atlanta district, filed 4:16 p. m.

Atlanta Order 15, Amendment 1, covering community food prices in the Atlanta district, filed 4:16 p. m.

Jacksonville Order 3-F, Amendment 17, covering fresh fruit and vegetables in Tampa, Fla., filed 4:17 p. m.

Jacksonville Order 4-F, Amendment 8, covering fresh fruit and vegetables in the North Florida Area, filed 4:17 p. m.

Jacksonville Order 7-F, Amendment 19, covering fresh fruit and vegetables in designated cities and towns in Florida, filed 4:16 p. m.

Jacksonville Order 6-F, Amendment 20, covering fresh fruit and vegetables in Jacksonville, Fla., filed 4:17 p. m.

Jacksonville Order 8-W, covering dry groceries in the southern Florida area, filed 9:32 a. m.

Memphis Order 4-F, Amendment 50, covering fresh fruit and vegetables in the Memphis district, filed 4:15 p. m.

Savannah Order 1-F, Amendment 52, covering fresh fruit and vegetables in Chatham, Bryan, Effingham and Liberty, filed 4:04 p. m.

Savannah Order 2-F, Amendment 47, covering fresh fruit and vegetables in designated counties in Georgia, filed 4:04 p. m.

Savannah Order 3-F, Amendment 45, covering fresh fruit and vegetables in designated counties in Georgia, filed 4:03 p. m.

Savannah Order 5-F, Amendment 25, covering fresh fruit and vegetables in designated counties in Georgia, filed 4:02 p. m.

Raleigh Order 16, covering community food prices in the Raleigh, N. C., area, filed 9:38 a. m.

REGION V

Fort Worth Order 1-C, covering poultry in designated counties in Texas, filed 9:38 a. m.

Fort Worth Order 1-F, Amendment 34, covering fresh fruit and vegetables in Tarrant County, Tex., filed 9:33 a. m.

Fort Worth Order 2–F, Amendment 34, covering fresh fruit and vegetables in Taylor County, Tex., filed 9:33 a. m.

Fort Worth Order 3–F, Amendment 34, covering fresh fruit and vegetables in Green County, Tex., filed 4:22 p. m.

Fort Worth Order 4–F, Amendment 34, covering fresh fruit and vegetables in McLennan County, Tex., filed 4:22 p. m.

Fort Worth Order 5–F, Amendment 34, covering fresh fruit and vegetables in Wichita County, Tex., filed 4:22 p. m.

Fort Worth Order 6–F, Amendment 8, covering fresh fruit and vegetables in designated counties in Texas, filed 4:21 p. m.

Tulsa Order 5–F, Amendment 19, covering fresh fruit and vegetables in areas in Oklahoma, filed 4:14 p. m.

Tulsa Order 6–F, Amendment 19, covering fresh fruit and vegetables in certain areas in Oklahoma, filed 4:14 p. m.

Tulsa Order 12, covering dry groceries & certain perishables in designated counties in Oklahoma, filed 9:27 a. m.

REGION VI

Omaha Order 7–F, Amendment 11, covering fresh fruit and vegetables in Omaha, Nebr. and Council Bluffs, Iowa, filed 9:28 a. m.

Omaha Order 8–F, Amendment 11, covering fresh fruit and vegetables in Lincoln, Nebraska, filed 9:28 a. m.

Omaha Order 9–F, Amendment 3, covering fresh fruit and vegetables in designated counties in Nebraska, filed 9:28 a. m.

Peoria Order 2–F, Amendment 18, covering fresh fruit and vegetables in designated areas in Illinois, filed 4:21 p. m.

Peoria Order 3–F, Amendment 18, covering fresh fruit and vegetables in designated area in Illinois, filed 4:21 p. m.

Peoria Order 4–F, Amendment 13, covering fresh fruit and vegetables in designated areas in Illinois, filed 4:20 p. m.

Peoria Order 5–F, Amendment 1, covering fresh fruit and vegetables in designated areas in Illinois, filed 4:20 p. m.

Springfield Order 1–FS, Amendment 8, covering fresh fruit and vegetables in city of Springfield, Sangamon County, Illinois, filed 4:14 p. m.

REGION VII

Boise Order 2–F, covering fresh fruit and vegetables in the Boise city area, Pocatello and Twin Falls area, Idaho, filed 9:25 a. m.

REGION VIII

Los Angeles Order L. A.–5, Amendment 19, covering community food prices in the Los Angeles Metropolitan Area, filed 9:25 a. m.

Los Angeles Order L. A.–6, Amendment 19, covering community food prices in the San Bernardino-Riverside Area), filed 9:24 a. m.

Los Angeles Order L. A.–7, Amendment 19, covering community food prices in the Santa Barbara-Ventura Area, filed 9:24 a. m.

Los Angeles Order L. A.–8, Amendment 19, covering community food prices in the San Luis Obispo Area, filed 9:23 a. m.

Los Angeles Order L. A.–10, Amendment 9, covering community food prices in designated communities, filed 9:21 a. m.

Los Angeles Order L. A.–11, Amendment 8, covering community food prices in designated communities, filed 9:22 a. m.

Los Angeles Order L. A.–5, Amendment 20, covering community food prices in the Los Angeles Metropolitan Area, filed 9:26 a. m.

Los Angeles Order L. A.–6, Amendment 20, covering community food prices in the San Bernardino-Riverside Area, filed 9:26 a. m.

Los Angeles Order L. A.–7, Amendment 20, covering community food prices in the Santa Barbara-Ventura Area, filed 9:26 a. m.

Los Angeles Order L. A.–8, Amendment 20, covering community food prices in the San Luis Obispo Area, filed 9:26 a. m.

Portland Order 1–B, covering community food prices in the Portland district, filed 9:18 a. m.

Phoenix Order 1–W, Revocation, covering dry groceries in the "Phoenix-South Central Area," filed 9:36 a. m.

Phoenix Order 6–W, Revocation, covering dry groceries in the Cochise Area, filed 9:34 a. m.

Phoenix Order 7–W, Revocation, covering dry groceries in the Tucson Area, filed 9:34 a. m.

Phoenix Order 8–W, Revocation, covering dry groceries in the Gila Valley Area, filed 9:36 a. m.

Phoenix Adopting Order 9–W, covering wholesale community food prices in the Gila Valley Area, filed 9:38 a. m.

Phoenix Adopting Order 9–W, Amendment 1, covering wholesale community food prices in the Gila Valley Area, filed 9:36 a. m.

Phoenix Adopting Order 10–W, covering wholesale community food prices in the Phoenix–South Central Area, filed 9:36 a. m.

Phoenix Adopting Order 10–W, Amendment 1, covering wholesale community food prices in the Phoenix–South Central Area, filed 9:32 a. m.

Phoenix Adopting Order 11–W, covering wholesale community food prices in the Tucson Area, filed 9:35 a. m.

Phoenix Adopting Order 12–W, covering wholesale community food prices in the Cochise Area, filed 9:34 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
*Secretary.*

[F. R. Doc. 44–14539; Filed, Sept. 20, 1944; 3:11 p. m.]

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[Region I Order G–6 Under MPR 426, Amdt. 3]

FRESH FRUITS AND VEGETABLES IN BOSTON, MASS., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 2 (d) of Maximum Price Regulation No. 426, *It is hereby ordered:*

(a) Paragraph (a) is amended by adding to the list of sellers found to be purveyors the name of C. Sugarman & Son, 741 Tremont Street, Boston, Massachusetts.

This amendment becomes effective on August 28, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of August 1944.

EDGAR J. DRISCOLL,
*Acting Regional Administrator.*

DALLAS E. W. GALBRAITH,
*Acting Regional Director, of Food Distribution.*

[F. R. Doc. 44–14591; Filed, Sept. 21, 1944; 12:43 p. m.]

## SELECTIVE SERVICE SYSTEM.

[Camp Order 139]

LOGANSPORT STATE HOSPITAL PROJECT, INDIANA

ESTABLISHMENT AS CONSCIENTIOUS OBJECTOR CAMP

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, I hereby order:

1. That the Logansport State Hospital Project is designated as work of national importance, to be known as Civilian Public Service Camp No. 139. Said project, located at Logansport, Cass County, Indiana, will be the base of operations for work at the Logansport State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV–E, may be assigned to said project in lieu of their induction for military service.

2. That the men assigned to said Logansport State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Logansport State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Logansport State Hospital. Administrative and directive control shall be under the Office of the Assistant Director of Selective Service in charge of Camp Operations.

LEWIS B. HERSHEY,
*Director.*

SEPTEMBER 19, 1944.

[F. R. Doc. 44–14609; Filed, Sept. 21, 1944; 2:55 p. m.]

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## SURPLUS WAR PROPERTY ADMINISTRATION.

[Regulation 4]

SURPLUS AIRCRAFT AND RELATED PROPERTY

ESTABLISHMENT OF PRICING POLICY FOR DISPOSAL

*Scope of regulation.* By Regulation No. 1, the Reconstruction Finance Corporation was designated as the disposal agency for aircraft and property peculiar to aircraft in the United States, U. S. Territories and Possessions. The Foreign Economic Administration was designated as the disposal agency for property located in foreign territory.

The purpose of this regulation is to establish a pricing policy for the disposal, by the Reconstruction Finance Corporation and the Foreign Economic Administration, of surplus aircraft and property peculiar to aircraft.

In order to provide for the widest possible use of aircraft, disposal by lease, terminable installment sale or cash sale is authorized in certain instances as set forth in this regulation.

For pricing purposes, all property will be classified as belonging in one of the following categories:

*Class A. Tactical aircraft, or planes useful only for military purposes.*

*Group 1.* Aircraft designed and built to perform bombing, combat, reconnaissance and other tactical and military missions.

*Group 2.* Basic and advanced trainers.

*Class B. Transport aircraft.*

*Group 1.* Multi-engined aircraft of 17,500 lbs. gross weight and over, primarily suitable for transportation of passengers and/or cargoes over principal commercial or military air routes.

*Group 2.* Single and multi-engined aircraft of less than 17,500 lbs. but more than 5,000 lbs. gross weight, primarily suitable for feeder lines and executive transport uses.

*Class C. Personal aircraft.*

*Group 1.* Single and multi-engined aircraft, other than those in Class B, primarily suitable for private flying.

*Group 2.* Primary training aircraft.

*Group 3.* Miscellaneous types, such as gliders and rotary wing aircraft which cannot be classified in any other category.

*Class D. Aircraft equipment and component parts.*

*Class E. Unabsorbed surplus.* Aircraft and equipment deemed to have no substantial commercial aviation market, to be disposed of for educational and memorial purposes, or for non-aviation purposes, salvage or scrap.

*Price policy. Class A.* Class A aircraft are not generally suitable for public sale and will, for the most part, be placed in Class E.

Those Class A aircraft which are convertible to Class B types will be priced under the pricing policies established for Class B aircraft.

A limited number of Class A aircraft may be sought by friendly foreign nations. Prices should be established by government-to-government negotiation. All such negotiations must have the approval of the Department of State and the War and Navy Departments.

Class A aircraft which are sold for private or industrial flight purposes in the United States will be sold at prices which are not lower than the estimated sales value of salvageable component parts plus the estimated scrap value of unsalvageable residue.

*Class B.* A type price shall be established for each Class B passenger or cargo model. Type prices shall be determined in accordance with the following principles:

One model in Group 1 and one model in Group 2, currently in production, and in broadest general use will be selected as the "base model" for type price determination. The approximate average manufacturing cost of the "base model" during the first six months of 1944, will be established as the type price of the model selected as "base model." Type prices of other models in the same group will be established on a basis which, for the purpose of fixing reasonably competitive prices on all models in the same group, will give due consideration to the differences in (a) earning capacity, (b) latest date of manufacture, (c) cost of operation, and (d) estimated cost of manufacture, if manufactured during the first six months of 1944 in volume equal to that achieved in the case of "base model" during that period.

A schedule of type prices shall be filed with the Surplus War Property Administration.

Individual prices of Class B aircraft offered for sale or lease will be the type prices, less reasonable allowances for (a) cost of necessary repairs, (b) general wear and tear, and (c) cost of conversion.[1]

At the option of the purchaser, disposal may be made either by lease or terminable installment sale or cash sale. A principal difference between lease and terminable installment sale is that title passes in the case of the latter, but not in the case of the former. The right to terminate the lease or installment sale contract at any time, without penalty shall be vested only in the purchaser, except that the Government may reserve the right to terminate for failure of the lessee or purchaser to carry out the terms of the lease or the contract.

Annual rentals or installments should be based on type price and may be spread over a period not to exceed five years. Reasonable initial cost of repairs, general wear and tear and conversion[1] incurred by lessee or installment purchaser shall be credited to rental or installment payments in equal amounts during the period of the lease or installment purchase. At any time the lessee or purchaser should be permitted to acquire full title by paying the difference between individual aircraft price and rental or installments paid.

The foregoing pricing policy for Class B aircraft is provisional, and is designed to meet present conditions of short supply under which transport aircraft are allocated among applicants. The disposal agencies shall so notify each applicant for Class B aircraft, indicating the possibility of downward revision in future prices.

*Class C.* Ceiling prices will be established for all aircraft in Group 1 in accordance with the provisions of OPA regulations currently in effect. Aircraft in this group shall be offered, in the continental United States, for competitive bidding "where is," "as is" or at ceiling prices. Group 1 aircraft located in the United States which are offered for sale outside of the continental United States may be sold at prices approximating those currently being received in the United States for similar aircraft in comparable condition. Group 1 aircraft located outside the United States may be offered for competitive bidding or sold at prices approximating those currently being received in the United States for similar aircraft in comparable condition.

Aircraft in Group 2 may be offered for competitive bidding or at uniform model prices established from time to time and appropriately adjusted to reflect the relative condition of the individual aircraft. Group 2 aircraft will not be sold at prices lower than the estimated sales value of salvageable component parts plus the estimated scrap value of unsalvageable residue.

Aircraft in Group 3 may be offered for competitive bidding or sold at fixed prices established by the disposal agencies. In no event shall the sale price be lower than the estimated sales value of salvageable component parts plus the estimated scrap value of the unsalvageable residue.

*Class D.* Aircraft equipment and component parts shall, whenever practicable, be priced in accordance with normal trade practices, and shall, as a general rule, be distributed through normal trade channels.

*Class E.* Aircraft and property peculiar to aircraft in Class E, which are considered to have little or no commercial value, may be leased, loaned, donated or sold at nominal prices by the disposal agencies to non-profit educational institutions if the powers of the original owning agency permit such disposal, or if lease, loan or donation by the disposal agency concerned is authorized by Congress.

Aircraft and property peculiar to aircraft in Class E, which are considered to have some commercial value, may be leased to non-profit educational institutions at nominal rentals, or sold for non-aviation purposes or scrap at the best prices obtainable under warranties that the property sold will not again be utilized for flight purposes.

*Commissions to manufacturers, dealers, et cetera.* Disposal agencies are authorized to allow reasonable commissions to manufacturers and dealers when such commissions are justified by the services performed.

*Exceptions.* Cases for which no provision is made in the foregoing pricing regulations should be referred to the Surplus War Property Administration, which, by direct action without amendment to this Regulation, may authorize exceptions when, in its opinion, the public interest requires.

W. L. CLAYTON,
*Administrator.*
By G. T. BRIDGMAN,
*Deputy Administrator.*

SEPTEMBER 21, 1944.

[F. R. Doc. 44-14628; Filed, Sept. 22, 1944; 9:26 a. m.]

[1] When the cost of conversion is allowed, type price will be that established for the converted airplane.